PART IV

Section 2-C—(i)

GENERAL STATUTORY RULES ISSUED BY THE STATE GOVERNMENT UNDER THE CENTRAL ACTS AND STATE ACTS AND RULES MADE BY THE GOVERNOR UNDER THE CONSTITUTION.

HOME SECRETARIAT.

NOTIFICATION.

Bangalore, dated the 28th April 1965.

G. S R. 529.—The draft of the following of Rules which the Government of Mysore proposes to make in exercise of the powers conferred by Section 124 of the Mysore Prohibition Act, 1961 (Mysore Act 17 of 1962) read with Sections 27, 29, 30, 32, 33 and 44 of the said Act and all other powers enabling it in this behalf and in supersession of all rules, orders and notifications on the subject made or issued under any enactment repealed by sub-section (1) of Section 129 of the said Act is hereby published for the information of all persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken up for consideration on or after 3rd July 1965.

Any objection or suggestion which may be received from any person by the Government of Mysore in respect of the said draft before the date specified above will be considered by the State Government. Objection or suggestion may be addressed to Secretary to Government, Home Department, Vidhana Soudha, Bangalore-1, the Government of Mysore hereby make the following rules, namely :—

RULES

1. Title.—These rules may be called the Mysore Prohibition (Liquor) Rules, 1965.

2. These rules shall extend to all the areas of the State of Mysore, where the Mysore Prohibition Act, 1961 is in force.

3. Definitions.—In these rules, unless the context otherwise requires:—

(*a*) "Act" means the Mysore Prohibition Act, 1961;

(*b*) "District or Divisional Medical Board" or "State Medical Board" means a Medical Board constituted by the State Government for any district or division or the entire State under Section (9) of the Act;

(*c*) "Club licensee" means a person holding a club licence under these rules;

(*d*) "Duty paid liquor" means liquor on which duty leviable under the Indian Tariff Act, 1934 or the Sea Customs Act, 1878 or the Excise or countervailing duty under the Act, has been paid and includes liquor which is exempted from such duty;

(*e*) "Excise Supervision" means the supervision by the members of the staff of the Prohibition or Excise Department appointed in that behalf by the authority competent to appoint them;

(*f*) (I) "Liquor" includes Foreign or Indian made liquors of the following kinds, namely:—

(i) Spirits (ii) Wines and (iii) Fermented Liquors;

(II) (i) Spirits include brandy, whisky gin, liquors and milk punch and such other spirits as the State Government may by notification in the official gazette specify;

(ii) "Wines" means Champagne, Moselle, Burgundy, Chianti, White-wines, Clarets, Hocks, Riesling, Madeira, Ginger-wine, Port-type, Port, Vermouth, Sherry and such other wines as the State Government may by notification in the official gazette specify;

(iii) "Fermented Liquors" means Ale, Beer, Milk stout, Stout, Porter, Cider and such other fermented liquors as the State Government may by notification in the official gazette specify.

(*g*) "Form" means a form appended to these rules;

(*h*) "Licensed Premises" means premises in respect of which a licence has been issued under these rules;

(*i*) "Licensee" means a person who has been granted a licence under these rules;

(*j*) "Permit holder" means a person holding a permit granted under these rules;

(*k*) "Prescription" means a prescription issued by a registered medical practitioner;

(*l*) "Privileged person" means a person to whom special permits are granted under Section 34;

(*m*) "Sale by wholesale" means sale to licensed retailers or wholesalers;

(*n*) "Section" means a section of the Act;

(*o*) "State" means the State of Mysore;

(*p*) "Temporary resident" means a person falling under clause (b) of sub-section 1 of Section 31;

(*q*) "Testing Instruments" means:- (i) Cassellas Hydrometers consisting of 5 glass stems graduated from 0 to 20, 20 to 40, 40 to 60, 60 to 80, and 80 to 100 respectively. (ii) Cassellas single stem pocket Hydrometer graduated from 60 to 90 (iii) An immersion thermometer (iv) Sikes tables as revised by Col. Bedford (v) A glass cylindrical jar-capable of containing about ¾ of a litre of liquids;

(*r*) "Unit" means the quantity of liquor equivalent to (i) one reputed quart bottle of spirits or (ii) three quart bottle of wines or vermouth or (iii) twelve quart bottle of fermented liquors.

PART I

TRADE AND IMPORT LICENCES

4. Application for Licences.—Any person desiring to import and to sell liquor by wholesale shall apply to the Deputy Commissioner for a trade and import licence in that behalf. The application shall contain the following particulars, namely:—

(*a*) Name and address of the Applicant;

(*b*) Location of the shop or premises where he wants to sell liquor, with the number of house or building, name of the street and name of City or Town;

(*c*) Whether to his knowledge any liquor was sold at such shop or premises in the past and if so the period during which it was sold;

(*d*) Whether the applicant held any trade and import licence in the past and if so the year and period during which it was held.

5. Grant of Licence.—On receipt of the application, the Deputy Commissioner may make enquiries for verification of the details stated in the application and also such other enquiries as he deems necessary. If he is satisfied that there is no objection to grant the licence applied for, he may with the previous sanction of the Prohibition Commissioner grant the applicant a licence in form L.1 on payment of a fee of Rs. 1.500 per annum and of such security deposit, if any as may be prescribed by the Commissioner by regulations made under Section 126.

6. Duration of Licences.—No licence under rule 5 shall be granted for a period beyond the 31st March next following the date of the commencement of the licence:

Provided that for licences sanctioned between 1st April and 30th September, full licence fee for the year shall be levied and for licences sanctioned on or after the first day of October only half of the licence fee shall be levied.

7. Removal from Customs Manufactory, etc.—No liquor "(a) brought to any port in the State" (b) brought to the boundary of the State for import into any part of the State from any other part of India or (c) manufactured in a manufactory, distillery or brewery in the State shall be transported by any trade or import licencee from such port, boundary, manufactory, distillery or brewery, as the case may be, to his licensed premises or his warehouse except under a transport permit issued by an Officer duly authorised in that behalf and on payment of such fee or duty as may be notified.

8. What Liqour shall not be kept or sold.—A trade and import licensee shall not receive or keep in his licensed premises or in his warehouse any liquor which has not been lawfully removed from a customs barrier or imported or transported.

9. Sale.—A trade and import licensee :—

(*a*) shall exhibit at his licensed premises, a list supplied by the Commissioner from time to time showing the names and addresses of persons holding licenses for the sale of liquor ;

(*b*) shall not sell liquor to any person unless such person holds a licence for the sale of liquor or for the possession and use of liquor for the manufacture of medicinal, toilet or other preparations to which section 16 applies and produces a transport pass issued by an Officer duly authorised in that behalf.

(*c*) shall not sell liquor to ships going abroad except out of his stock in bond, if any ;

(*d*) shall not sell any liquor unless the buyer produces valid transport or export permit issued by the Deputy Commissioner ;

(*e*) shall not sell liquor at prices exceeding those fixed from time to time by the Commissioner.

10. Liquor bottles to be Banderolled.—No bottle containing liquor shall be sold to any person for consumption

in the State unless it is banderolled in such manner as the Commissioner may, from time to time, direct.

11 No Drinking on Licensed Premises.—A trade and import licencee shall not permit the consumption of any liquor in or on the licensed premises or in his warehouse or in any premises connected therewith that may be in his possession or under his control.

12 Racking, etc., not Permitted.—No liquor shall be racked, bottled, blended, reduced, flavoured or coloured by a Trade and Import licensee except in accordance with the provisions of the Act and the rules, regulations and orders made thereunder.

13 Adulterated and Spurious Liquor not Allowed.—No trade and import licensee shall adulterate or in any manner cause to deteriorate any liquor or knowingly receive or keep on licensed premises or in the warehouse or sell liquor which is or has been adulterated or which has deteriorated or has been allowed to deteriorate. He shall also not receive, keep or sell spurious liquor of any kind.

14. Working days and Hours.—The licensee shall not on any day carry on his business after 9-30 P M. I S.T. or before 9-30 A.M nor shall he carry on the said business on such days as may be notified by the Commissioner.

15. Transaction under Excise Supervision.—All transactions pertaining to receipt, storage, purchase and sale of liquor shall be carried out under the supervision of such Excise or Prohibition authorities as the Commissioner may direct.

16. Appointment of Staff for Excise Supervision.—The Prohibition Commissioner may appoint such Excise or Prohibition staff at the licensed premises for supervision as he deems necessary.

17. Combination of other Business not Permitted.—The trade and import lincensee shall not in any case combine

the business of sale of liquor with any other business in or at the licensed premises.

18. Liquor to be sold in Sealed Bottles —Liquor shall not, save with the permission of the Commissioner, be kept or sold by a trade or import licensee except in full corked bottles sealed or capsuled.

19. Regulation of Business of Licensee.—(a) No person shall be recognised as partner of the trade and import licensee for the purposes of his licence unless the partnership has been declared to the Deputy Commissioner before the licence is granted and the names of the partners have been entered jointly in the licence, or, if the partnership is entered into after the granting of license, unless the Deputy Commissioner agrees, on application made to him to alter the licence, and to add the name or names of the partner or partners in the licence.

(*b*) A trade and import licensee shall carry on his business under the licence either personally or by an agent or servant duly authorised by him in that behalf by a written Nowkarnama signed by himself and countersigned by a Prohibition officer.

Provided that any such Nowkarnama signed by the licensee shall be valid until countersignature is refused. If for any reason the Deputy Commissioner shall order the withdrawal of any Nowkarnama issued by the licensee, the Nowkarnama shall be withdrawn forthwith. For every Nowkarnama issued by him and countersigned by the Prohibition Officer the licensee shall pay a fee of Re. 1 No Nowkarnama shall be issued to any person under 18 years of age and no such Nowkarnama if issued shall be valid.

(*c*) (i) A trade and import licensee shall keep in the licensed premises and also in his warehouse, an up-to- date list showing the names of all his approved agents or servants.

(ii) The licensee shall keep in the licensed premises in a bound book paged and stamped with the seal of the Deputy Commissioner such accounts as may be prescribed by the Commissioner. The accounts shall be clearly and correctly written up to date daily. With these accounts shall be filed the transport passes under cover of which liquor was received, sold or transported. These accounts shall be open to inspection by the Deputy Commissioner or any other Officer empowered under Sections 99 and 101.

(iii) The licensee shall periodically submit such returns as may be prescribed by the Commissioner.

(iv) The licensee shall keep a complete set of testing instruments for testing liquor.

(*d*) The licensed premises and the warehouse of a trade and import licensee and all liquor contained in such premises or warehouse shall at all time be open to inspection by the Deputy Commissioner and the Prohibition Officers empowered under Sections 99 and 101.

(*e*) The licensee shall when called upon by any Prohibition Officer give an explanation in writing regarding any irregularity detected at his licensed premises and shall furnish any information regarding the management of the said premises and shall answer all reasonable questions to the best of his knowledge and belief. He shall also on demand, allow an inspecting officer to take without payment samples not exceeding 1/8 litre for analysis.

(*f*) The licensee shall keep an inspection book paged and stamped with the seal of the Deputy Commissioner always available to inspecting officers to enable them to record their remarks. All inspecting officers should record in the inspection book, the time and date of their inspection and other remarks relating to the inspection. The licensee shall on the termination of the period of his license, deliver the inspection book, the account book and the license to the Prohibition Officer and may retain the verified and cancelled permits.

(*g*) Except with the permission of the Deputy Commissioner, the licensee shall not sell, transfer or sublease

the right conferred upon him by this license nor shall he in connection with the said right enter into any agreement or arrangement which in the opinion of the Deputy Commissioner is in the nature of a sub-lease. If any dispute arises, whether any agreement or arrangement is in the nature of a sub-lease or not the decision of the Deputy Commissioner in the matter shall be final and binding on the licensee.

20. Licensee to abide by the Provisions of the Act, etc.— (*a*) Every trade and import licensee shall comply promptly with all orders or directions issued from time to time under the Act, and the rules and Regulations and orders made thereunder.

(*b*) Every licensee shall give an undertaking to the Deputy Commissioner, at the time of taking delivery of the license, in the form of a counterpart agreement on a duly stamped paper that he will abide by the provisions of the Act and rules, regulations and orders made thereunder and that he agrees to abide by all the conditions of the license.

(*c*) The licensee or his successors or assigns shall have no claim whatsoever to the continuance or renewal of the trade and import license after the expiry of the period for which such license was granted.

(*d*) When a trade or import license is suspended or cancelled during the currency of the license period or is not renewed after its expiry, the licensee shall forthwith intimate to the Deputy Commissioner the quantity of liquors in stock with him. On receipt of such intimation, the Deputy Commissioner shall instruct the Prohibition Officer or other authorised officer to verify the stock and seal up the premises where the stock is stored. The stock will however be deemed to be in the custody of the ex-licensee who will make arrangements and will be responsible for its safety. The stock may only be sold with the permission of the Deputy Commissioner to other licensees; the licensee will not however be allowed to receive fresh stock after his license expires or is suspended or cancelled, except those stocks for which transport or import permits have already been issued

and which are in transit. The permission to sell the stock to other licensees wi l be subject to the condition that all sums du: to the State Government wil: first be paid out of the sale proceeds :

Provided that if there is no demand for the liquor in sto: k or if it is foun l to be unfit for human consumption or adulterated the Deputy Commissioner may order its destruction.

21. Suspension or Cancellation of License —A'l licenses granted under rule (5) may be suspended or cancelled in accordance with the Provisions of Sections 45 and 47.

PART II

RETAILER'S LICENSES FOR SALE OF LIQUOR

22. Application for License.—Any person desiring to sell liquor by retail to persons holding licenses or permits for its possession, consumption or use shall apply to the Deputy Commissioner for a retailer's license on that behalf. The application shall contain the following particulars :—

(*a*) Name and address of the applicant;

(*b*) If the applicant is a firm or a company, the names and addresses of all the partners and Directors of the firm or company as the case may be;

(*c*) Location of the premises where the applicant intends to conduct the business under the license;

(*d*) Whether any liquor was sold to the knowledge of the applicant at the above place in the past, and if so the year, and period during which it was sold.

23. Grant of License and Payment of fee.—On receipt of the application the Deputy Commissioner may make enquiries for verification of the details of the application and also such other enquiries as he deems necessary. If he is satisfied that there is no objection to grant the license

applied for he may, with the previous sanction of the Commissioner grant the applicant a retailer's license in Form L 2 on payment of the fee of Rs. 3,000 per annum and of such deposit if any, as may be prescribed by the Commissioner under the provisions of the Act.

24. Duration of Licenses.—No license under rule 23 shall be granted for a period beyond the 31st of March next following the date of the commencement of the license:

Provided that for licenses sanctioned between 1st April and 30th September full license fee for the year shall be levied and for licenses sanctioned on or after the first day of October only half the license fee shall be levied.

25. Transactions at the Licensed Premises:—The licensee shall not transact any business on such days if any as may be notified by the Commissioner.

26. Appointment of Staff for Supervision:—The Deputy Commissioner may with the approval of the Commissioner appoint such Excise or Prohibition staff at the licensed premises for supervision as he deems necessary.

27. Kinds of Liquor Authorised for Sale:— No liquor other than those authorised by the Deputy Commissioner shall be received, brought, held in stock or sold at the licensed premises.

28. Sources of Supply—Liquor required for sale under the license shall be obtained from a person holding a trade and import licence under these rules or from a distillery or a manufactory or a brewery with the special permission of Deputy Commissioner from any other source or place. All such liquor shall be transported to the licensed premises under a valid transport or import permit.

29. What Liquor should not be Kept or sold:—(*a*) No liquor other than that obtained under rule 28 shall be received, kept or sold at the licensed premises.

(*b*) No adulterated, deteriorated or spurious liquor shall be received, kept or sold at the licensed premises.

30. To whom Liquor shall or shall not be sold :—(*a*) The licensee may sell liquor to holders of permits or authorisations.

(*b*) No liquor shall be sold to any permit holder unless the permit holder has a corresponding balance of units remaining unpurchased under his permit during the currency of the month of such sale to him. The licensee shall on each occasion enter in the permit of the permit holder, the details of sale of such liquor and sign his name and note his licence number below such entry.

31. Selling Prices :—Liquor shall not be sold from the licensed premises at a price exceeding the maximum price, if any fixed by the Commissioner from time to time.

32. Liquor Bottels to be banderolled :—No bottle containing liquor shall be sold from the licensed premises unless it is banderolled in accordance with the instructions, if any, issued by the Prohibition Commissioner.

33. No Drinking in the licensed premises: —The licensee or his agent or servant in charge of the licensed premises shall not permit liquor to be consumed in such premises.

34. Working hours, etc:—The licensed premises shall be kept open for business between the hours of 9. 30 A. M. and 9. 30 P. M. on all days.

35. Combination of business :—Except with the special permission of the Deputy Commissioner, the business of selling liquor at the licensed premises shall not be combined with any other business in the licensed premises.

36. Liquor to be sold in sealed bottles :—Liquor shall not be kept or sold at the licensed premises except in corked bottles sealed or capsuled.

37. Transport passes for liquor:—Unless permitted under a permit or licence no liquor sold from the licensed premises shall be transported except under a valid transport permit.

38. Regulation of business of license—(*a*). No person shall be recognised as partner of the holder of a retailers licence for the purposes of his licence unless the partnership has been declared to the Deputy Commissioner before the licence is granted and the names of the partners have entered jointly in the licence or if the partnership is entered into after the granting of licence, unless the Deputy Commissioner agrees on application made to him to alter the licence and to add the name or names of the partner or partners in the licence.

(*b*) A holder of a retailer's licence shall carry on his business under the licence either personally or by an agent or servant duly authorised by him in this behalf by a written Nowkarnama signed by himself and countersigned by a Prohibition Officer.

Provided that any such Nowkarnama signed by the licensee shall be valid until countersignature is refused. If for any reason the Deputy Commissioner shall order the withdrawal of any Nowkarnama issued by the licensee, such Nowkarnama shall be forthwith withdrawn. For every Nowkarnama issued by the licensee and countersigned by the Prohibition Officer a fee of Re. 1 shall be charged. No Nowkarnama shall be issued to any person under 18 years of age and no such Nowkarnama, if issued, shall be valid.

(*c*) (i) The licensee shall keep in the licensed premises an up-to-date list showing the names of all his authorised agents and or servants.

(ii) The licensee shall keep in the licensed premises in a bound book, paged and stamped with the seal of the Deputy Commissioner, such accounts as may be prescribed by the Commissioner. The accounts shall be clearly and correctly written up-to-date daily. With these accounts shall be filed the transport passes under cover of which liquor

was received, sold or transported. These accounts shall be open to inspection by the Deputy Commissioner or any other Officer empowered under sections 99 and 101.

(iii) The licensee shall submit such returns as may be prescribed by the Commissioner.

(iv) The licensee shall keep a complete set of testing instruments for testing liquor.

(*d*) The licensed premises and all liquor contained therein shall at all times be open to inspection by the Deputy Commissioner and Prohibition Officers empowered under Sections 99 and 101.

(*e*) The licensee shall, when called upon by any Prohibition Officer give an explanation in writing regarding any irregularity detected at his licensed premises and shall furnish any information regarding the management of the said premises and shall answer all reasonable questions to the best of his knowledge and belief. He shall also, on demand, allow an inspecting officer to take without payment samples not exceeding ½ litre or one pint for analysis free of cost.

(*f*) The licensee shall keep an inspection book, paged and stamped with the seal of the Deputy Commissioner always available to inspecting officers to enable them to record their remarks. All inspection officers should record in the inspection book the time and date of their inspection, and other remarks relating to the inspection. The licensee shall on the termination of the period of his license deliver the inspection book, the account book and the licence to the Prohibition Officer and may retain the verified and cancelled permits.

(*g*) Except with the permission of the Deputy Commissioner the licensee shall not sell, transfer or subject the right conferred upon him by this licens nor shall he in connection with the said right enter into any agreement or arrangement which in the opinion of the Deputy Commissioner is in the nature of a sub-lease. If any question arises whether any agreement or arrangement is in the

nature of a sub-lease the decision of the Deputy Commissioner on such question shall be final and binding on the licensee.

39. Licensee to Abide by the Act etc.—(*a*) Every licensee shall comply promptly with all orders or directions issued from time to time under the Act and the rules and regulations and orders made thereunder;

(*b*) Every licensee shall give to the Deputy Commissioner, at the time of taking delivery of the license an undertaking in the form of a counterpart agreement on a duly stamped paper that he will abide by the provisions of the Act and rules, regulations and orders made thereunder and that he agrees to abide by all the conditions of the license.

(*c*) The licensee or his successors or assigns shall have no claim whatsoever to the continuance or renewal of the license after the expiry of the period for which such license was granted.

(*d*) When the license is suspended or cancelled during the currency of the license period or is not renewed on its expiry, the licensee shall forthwith intimate the Deputy Commissioner of the quantity of liquor in stock with him. On receipt of such intimation the Deputy Commissioner shall instruct the Prohibition Officer or other authorised officer to verify the stock and seal up the premises where the stock is stored. The stock will however be deemed to be in the custody of the ex-licensee who will make arrangements and will be responsible for its safety. The stock may only be sold with the permission of the Deputy Commissioner to other licansees. The licensee will not however be allowed to receive fresh stock after his license expires or is suspended or cancelled except the stocks for which transport or import permits have been issued and which are in transit. The permission to sell the stock to other licensees will be subject to the condition that all sums due to the State Government will first be paid out of the sale proceeds;

Provided that if there is no demand for such liquor or if it is found to be unfit for human consumption or adulterated, the Deputy Commissioner may order its destruction.

40. Suspension or cancellation of License.—All licenses granted under rule 23 may be suspended or cancelled in accordance with the provisions of Sections 45 and 47.

41. Liquor depot in charge of Officers.—(i) The State Government may establish depots for the sale of liquor to persons holding permits for its possession, consumption or use and locate, such depot in any suitable place and entrust the business of such depots to such Officers as it deems fit.

(ii) No license shall be necessary for the possession and sale of liquor in the depot by the officer referred to in sub rule (i).

(iii) Subject to the provision of sub-rule (ii) above the Officer-in-charge of the depot shall abide by the rules in this part and shall also comply with all orders and instructions issued by the Prohibition Commissioner, Deputy Commissioner, Prohibition Officer and other Officers duly empowered in this behalf in connection with the management of the business relating to the depot.

PART III

HOTEL LICENSE

42. Application for a Hotel license.—Any manager or proprietor of a Hotel, desiring to sell foreign liquor by retail to permit holders residing or boarding at his hotel, may apply to the Deputy Commissioner for a hotel license. The application shall contain the following particulars

(*a*) Name and address of the applicant.

(*b*) Name of the hotel, its location with the number of the house or building, name of street and name of city or town as the case may be.

(*c*) Whether the hotel held any hotel license in the past and if so the period during which it was held.

(*d*) Average number of permit holders residing or boarding at the hotel per day separately. The average shall be calculated on the total number of such permit holders during the six months immediately preceding the date of the application.

(*e*) Number of the room assigned for sale and consumption of liquor.

43. Grant of license and its duration.—(*a*) On receipt of an application under rule 22, the Deputy Commissioner may make enquiries for verification of the particulars given in the application and also such other enquiries as he deems necessary. If he is satisfied that there is no objection to grant the license applied for, he may grant the applicant, with the previous sanction of the Prohibition Commissioner a license in Form L. 3 on payment of a fee of Rs. 2,000 only per annum and of such deposit as may be prescribed by the Commissioner.

(*b*) No license under this rule shall be granted for a period beyond the 31st March next following the date of the commencement of the license:

Provided that for licenses sanctioned between 1st April and 30th September full license fee shall be levied and licenses sanctioned on or after the first day of October only half of the license fee shall be levied.

44. Admission of Partners.—No person shall be recognised as a partner of a hotel license unless the partnership has been declared to the Deputy Commissioner before such license is granted and the names of the partners have been entered jointly in the license or if the partnership is entered into after the granting of licence, unless the Deputy Commissioner agrees on application made to him to alter the licence and to add the name or names of the partner or partners in the licence.

PART IV

CLUB LICENCE

45. Application for a club licence.—The Secretary of a club or any person duly authorised in that behalf by the club may, if it is inteded to sell liquor at such club, apply to the Deputy Commissioner for a club licence. The application shall contain the following particulars, namely :—

(*a*) Name of the club

(*b*) Location of the club, with the number of the house or building, name of street and name of city or town as the case may be

(*c*) Objects of the club

(*d*) Name of the Secretary or other person authorised by the club to be its principal executive officer.

(*e*) Number of members

(*f*) Rules of the club relating to the election of members, terms of subscription, entrance fee, if any, and hours of opening.

(*g*) Whether the club held any licence in the past and if so, the year and period during which it was held.

(*h*) Average number per day of resident members, if any, the average should be calculated on the basis of total number of such residential members during the six months immediately proceeding the date of the application.

(*i*) Number of the room assigned for sale and consumption of liquor.

46. Grant of licence and its duration.—(*a*) On receipt of an application, under rule 45, the Deputy Commissioner, may make enquiries for verification of the particulars furnished in the application and such other enquiries as he deems necessary, and if he is satisfied that there is no objection to grant the licence applied for, he may with the previous approval of the Prohibition Commissioner and the State Government grant a licence in Form L. 4 to the Secretary

or other authorised person on payment of a fee of Rs. 300 per annum and of such deposit as may be prescribed by the Prohibition Commissioner under the Act.

(b) No licence shall be granted for a period beyond 31st March next following the date of commencement of the licence : Provided that for licences sanctioned on or between 1st April and 30th September full licence fee for the year shall be levied and for licences sanctioned on or after the first day of October only half of the licence fee shall be levied.

PART V

Common Rules for Hotel and Club Licences

47. Employment of Servants.—(i) The business of selling foreign liquor at a hotel or club shall be carried on by the licensee personally or by an agent or servant duly authorised by him in this behalf, by a written Nowkarnama signed by himself and countersigned by a Prohibition Officer:

Provided that any such Nowkarnama signed by the licensee shall be valid until such countersignature is refused.

(ii) Such Nowkarnama shall be forthwith withdrawn by the licensee if so ordered by the Deputy Commissioner for any reason. For every Nowkarnama issued by him and countersigned, the licensee shall pay a fee of Re. 1.

(iii) No Nowkarnama shall be issued to any person under 18 years of age and no Nowkarnama if issued shall be valid.

48. Source of supply.—Liquor required for a licensed hotel or a club shall not be bought except from a person holding a trade and import licence and shall not be transported except under a transport permit issued by the Deputy Commissioner or other Authorised Officer.

49. (*a*) A hotel or club licensee shall not keep or sell in the licensed premises, liquor of any kind which he is not authorised to buy under the licence or keep or sell liquor in any place except in the licensed premises.

(*b*) No adulterated, deteriorated or spurious liquor of any kind shall be received, stored or sold by the licensee.

50. Manner of sale.—Liquor may be sold in millilitres of 100 or 50 capacity at a hotel or club for consumption only in the room assigned for that purpose. However a club licensee may also sell liquor in sealed bottles.

51. Maintenance of Accounts and inspection thereof.—(*a*) There shall be maintained in the licensed premises accounts of daily transactions. Such accounts shall be kept in a bound book, paged and stamped with the seal of the Deputy Commissioner. The licensee will also submit every month before the tenth of the month's brief returns of the accounts relating to the previous month.

(*b*) The licensed premises and the liquor stored therein and all accounts and registers and books maintained in respect of such liquor by the licensee shall at all times be open for inspection by any officer empowered under Sections 99 and 101. Any irregularity noticed by such officer shall be explained to him by the licensee.

(*c*) The licensee shall, when called upon by any Prohibition Officer give an explanation in writing, regarding any irregularity detected at the licensed premises and shall furnish any information regarding the management of the licensed premises and answer all reasonable questions to the best of his knowledge and belief. The licensee shall also, on demand, allow an Inspecting Officer to take without payment samples for analysis, not exceeding 1/8 litre or 4 ozs. free of cost.

(*d*) The licensee shall keep an inspection book, paged and stamped with the seal of the Deputy Commissioner always available to inspecting officers to enable them to record their remarks. All inspecting officers should record in the inspection book, the time and date of their inspection and other remarks relating to their inspection. The licensee shall on the termination of the period of his licence deliver up the inspection book, account book and the licence to the Prohibition Officer and may retain the verified and cancelled permits.

52. Appointment of Staff for Supervision.—The Deputy Commissioner may appoint such staff for supervision at the licensed hotel or club premises as he deems necessary.

53. Closure of Premises.—(*a*) A hotel or club licensee shall close the licensed premises on such days and during such hours as may be notified by the Prohibition Commissioner under the Act.

(*b*) The licensee may also, of his own accord, close the licensed premises during riot or disturbance or epidemics in the neighbourhood thereof.

(*c*) The licensee shall not be entitled to claim any compensation on account of the closure of the licensed premises under this rule.

54. Prohibition regarding Drunkenness, etc.—No drunkenness or gambling in or near the room which has been assigned for the sale of liquor shall be permitted by the licensee nor shall any disorderly persons be allowed to remain therein.

55. Sale to permit holders :—(*a*) (i) A licensee shall not sell liquor to any person except a permit holder residing or boarding at the hotel or in the case of a club, to its resident member holding a permit. No sale of liquor shall be made to a permit holder unless a permit holder has got a corresponding balance of units remaining unpurchased under his permit during the month of such sale to him.

(ii) All licensees shall enter the details of sale o liquor to any permit holder in the permit of such permit holder.

(*b*) A licensee shall not sell or serve liquor except between 10 A. M. and 11 P. M.

(*c*) A licensee shall not sell or supply or attempt to sell or supply any liquor to or for the use of a permit holder who is insane or is known or believed to be intoxicated.

56. Licensee to abide by the Act, Rules, etc. :—A licensee shall abide by all the conditions of the licensee and the provisions of the Act and the rules, regulations and orders made thereunder and shall give to the Deputy Commissioner at the time of taking delivery of the licence an undertaking in the form of a counterpart agreement on a duly stamped paper to that effect.

57. No Claim to renew a Licence.—A licensee or his successors or assigns shall have no claim whatsoever to the continuance or renewal of the licence as the case may be after the expiry of the period for which such licence was granted.

58. Cancellation of Licence :-All licences may be suspended or cancelled in accordance with the provisions of Sections 45 and 47.

59. Unsold Liquor :—When a licence is suspended or cancelled during the currency of the licence period or is not renewed on its expiry, the licensee shall forthwith intimate the Deputy Commissioner of the quantity of liquor in stock with him. On receipt of such intimation the Deputy Commissioner shall instruct the Prohibition Officer or other authorised officer to verify the stock and seal up the premises where the stock is stored. The stock will, however, be deemed to be in the custody of the ex-licensee who will make arrangaments and will be responsible for its safety. The stock may only be sold with the permission of the Deputy Commissioner to other licensees. The licensee will not however be allowed to receive fresh stock after his licence expires, or is suspended or cancelled, except the stocks for which transport or import permits have been issued and which are in transit. The permission to sell the stock to other licensees will be subject to the condition that all sums due to the State Government will first be paid out of the sale proceeds.

Provided that if there is no demand for such liquor or if it is found to be unfit for human consumption or adulterated the Deputy Commissioner may order its destruction.

PART VI

PERMITS FOR POSSESSION, USE AND CONSUMPTION OF LIQUOR.

60. Description of permits:—Permits of the following kinds for the possession, use and consumption of liquor may be granted under these rules, namely :—

(*a*) Temporary resident's permits

(*b*) Health permits

(*c*) Emergency permits

(*d*) Special permits for privileged persons

(*e*) Tourist permits

(*f*) Interim permits

61. Temporary Resident's (Foreigner's) permits:—(*a*) Any temporary resident desiring to possess, use and consume liquor may apply to the Deputy Commissioner in form L (A) 1. The form may be obtained from the office of the Deputy Commissioner on payment of a fee of Re. 1.

(*b*) (i) On receipt of the application, the Deputy Commissioner shall satisfy himself that the applicant is not a minor, is a temporary resident and that he fulfils the other conditions of section 31.

(ii) The Deputy Commissioner shall make such other enquiries as he deems necessary.

(*c*) If the Deputy Commissioner on making the necessary enquiries is satisfied that there is no objection, he may in consultation with the District Prohibition Officer of the District and in conformity with the orders, if any, of the State Government and the Prohibition Commissioner grant the applicant on payment of a fee of Rs. 100 in form L. 5, a permit for the possession, use and consumption of liquor.

(*d*) No permit shall be granted for a period beyond the 31st March next following the date of its commencement; Provided that for permits granted between the 1st April and 30th September full fee for the year shall be charged and for permits granted on or after the 1st day of October half the fee shall be charged.

(*e*) The permits shall be granted for such monthly quantity not exceeding 4 units as the Deputy Commissioner may fix in each case.

(*f*) The permit holder shall not possess at any one time any quantity of liquor exceeding that fixed in his case by the Deputy Commissioner under sub-rule (*e*).

(*g*) The privileges of purchase and possession of liquor granted under the permit shall extend only so far as they are incidental to its use or consumption in accordance with these rules and the conditions of the permit.

(*h*) (i) Liquor permitted for consumption under the permit shall not, except with the permission of the Deputy Commissioner be obtained from any place other than a Government depot or a licensee.

(ii) The permit holder shall get all purchases of liquor entered in his permit by the Officer-in-charge of the Government depot or the licensee as the case may be.

(*i*) Whenever a permit holder leaves the State for more than 3 months during the currency of the permit period, he shall, before leaving the State, deposit with the Deputy Commissioner, his permit and stock of liquor if any held by him thereunder and obtain a receipt therefor. The stock so deposited shall be kept by the Deputy Commissioner in safe custody and marked with such distinguishing marks as he may deem fit. If the permit holder returns to the State before the expiry of the period of the permit, the permit and the stock so deposited shall be returned to him on production of the receipt.

(*j*) A permit holder shall give to the Deputy Commissioner at the time of taking delivery of the permit granted under sub-rule (*c*) above, an undertaking in the form of a counterpart agreement on a duly stamped paper that he will abide by the provisions of the Act and the rules, regulations and orders made thereunder.

(*k*) A permit may be cancelled or suspended in accordance with the provisions of Sections 45 and 47.

(*l*) Where the permit is cancelled or suspended during the currency of the permit period or is not renewed after its expiry, the permit holder shall surrender forthwith the whole of the unconsumed stock of liquor to the Deputy Commissioner. The stock so surrendered shall be sold by the Deputy Commissioner in such manner as he thinks fit and the proceeds of the sale shall after deducting the expenses and any sum due to the State Government be returned to the permit holder:

Provided that the unconsumed stock of liquor surrendered by the permit holder shall not be sold for a price of less than 75 per cent of the price fixed for such liquor by the Commissioner under rule 31 of these rules:

Provided further that if there is no demand for such liquor or if it is found to be unfit for human consumption or adulterated the Deputy Commissioner may order its destruction.

62. Health Permit.—(*a*) Any person, not being a minor, desiring to possess, use or consume liquor for the preservation or maintenance of his health may make an application in form L(A) 2 to the Deputy Commissioner. The applicant shall obtain the form of application from the office of the Deputy Commissioner on a payment of Re. 1. He shall also pay such other sums as have to be paid by him under the Mysore Prohibition (Health and Drug Permit) Medical Board Rules, 1962.

(*b*) The applicant shall appear before the Medical Board for medical examination as provided for in these rules.

(*c*) On receipt of the application, the report of the Medical Examination, the record connected therewith and the certificate in form M. C. the Deputy Commissioner shall satisfy himself (i) that the applicant is not a minor and (ii) that the applicant requires liquor for preservation or maintenance of his health, the Deputy Commissioner may also make such other enquiries as he deems necessary.

(*d*) If the Deputy Commissioner on making the necessary enquiries if any is satisfied that there is no objection, he may in conformity with the orders of the State Government, Commissioner and the Mysore Prohibition (Health and Drug Permits) Medical Board Rules, 1962 and after taking into consideration the recommendation of the District/Divisional Medical Board grant the applicant on payment of a fee of Rs. 100 per annum, a licence in form L. 6 for the possession, use and consumption of liquor for preservation or maintenance of his health as the case may be.

(*e*) No such permit shall be granted for a period exceeding that recommended by the District/Divisional Medical Board or the State Medical Board as the case may be, and such period shall not exceed one year or the unexpired portion of one year preceding the next 31st of March following the date of commencement of the permit.

(*f*) A permit holder desiring to renew the permit after the expiry of the period for which it was granted shall make a fresh application. The provisions of rules 64 and 65 and sub-rules (*a*) to (*c*) of this rule shall apply to such applicant.

(*g*) The Deputy Commissioner shall grant a permit for the quantity recommended by the District/Divisional Medical Board or State Medical Board as the case may be. In the case of difference of opinion between the members of the Board as to the quantity, the Deputy Commissioner may grant not less than the quantity recommended by the minority and not more than the quantity recommended by the majority of the members.

(*h*) The privileges of purchase and possession of liquor granted under the permit shall be extended only so far as they are incidental to its use or consumption in accordance with these rules and the conditions of the permits.

(*i*) The liquor purchased under the permit shall be used or consumed by the permit holder solely by himself and shall not by sold or given to or allowed to be used or consumed by any other person.

(*j*) (i) Liquor permitted for use and consumption under a permit granted under this rule shall not be obtained from a place other than a Government depot or a licensed hotel or club or a shop holding a retailer's Licence.

(ii) The permit holder shall get all purchase of liquor entered in his permit by the officer-in-charge of the Government Depot or the licensee as the case may be.

(*k*) The permit holder shall not at any time during the currency of any permit possess any quantity of liquor exceeding that which he is permitted to use and consume during any month.

(*l*) The permit holder shall give to the Deputy Commissioner at the time of taking delivery of the permit an undertaking in the form of a counterpart agreement on a duly stamped paper that he will abide by the provisions of the Act and rules, regulations and orders made thereunder and that he agrees to abide by all the conditions of the permit.

(*m*) A permit may be suspended or cancelled in accordance with the provisions of Sections 45 and 47. Where a permit is suspended or cancelled during its currency or is not renewed on its expiry, the permit holder shall forthwith surrender the whole unconsumed liquor to the Deputy Commissioner. The stock so surrendered shall be sold by the Deputy Commissioner in such manner as he thinks fit. And the proceeds of the sale shall, after deducting the expenses and any sum due to the Government be returned to the permit holder:

Provided that the unconsumed stock of liquor surrendered by the permit holder shall not be sold for a price less than 75% of the price fixed for such liquor by the Commissioner under rule 31 of these rules:

Provided further that if there is no demand for such liquor or if it is found to be unfit for human consumption or adulterated the Deputy Commissioner may order its destruction.

63. Health Permits to Visitor's from Other States.—Notwithstanding anything contained in rule 62, a licence in form L, 6 may be granted by the Deputy Commissioner for such period as he deems fit, on the application of any person not being a minor from any other State in India on payment of a fee of Rs. 10 per month or portion of a month :

Provided the applicant is in possession of a similar license in the State from which he comes.

Provided further that the quota of liquor to be permitted to be consumed under the license in form L. 6 does not exceed the unpurchased quota under the original permit.

64. Examination by District/Divisional Medical Board.—(*a*) For the purpose of granting health permits under these rules a District/Divisional Medical Board shall receive the application forwarded to it by the Deputy Commissioner or an officer authorised by the Deputy Commissioner and direct the applicant to appear before it on the day and at the time and place specified by it in that behalf:

Provided that an applicant who is more than 68 years of the age or who is physically incapable to present himself for a medical examination at the appointed place may at his request and on production of a medical certificate issued by the personal medical advisor to that effect be examined by the Board at his residence and on payment of the fee prescribed under the Mysore Prohibition (Health and Drug Permit) Medical Board Rules 1962.

(*b*) The Medical Board shall on the appearance of the applicant before it examines the applicant and follow the procedure laid down in the Mysore Prohibition (Health and Drug permit) Medical Board Rules, 1962.

65. Examination by State Medical Board.— (*a*) The Commissioner, either *Suo Moto* or on an appeal filed before him by an applicant or permit holder or on reference to him by the Deputy Commissioner may refer any case to the State Medical Board for their examination.

(*b*) The State Medical Board will follow the procedure laid down in the Mysore Prohibition (Health and Drug Permit) Medical Board Rules, 1962.

66. Emergency Permit.— (*a*) Any person desiring to possess Brandy, Rum or Champagne, for his own use or for the use of his house-hold as medicine on emergent occasions mayapply to the Deputy Commissioner in form L(A) 3. He may obtain such form from the Office of the Deputy Commissioner on payment of a fee of Re. 1.

(*b*) On receipt of the application the Deputy Commissioner may make such enquiries as he deems necessary and if he is satisfied that there is no objection, grant the applicant on payment of a fee of Rs. 5 a permit in form L. 7 for the possession of Brandy, Rum or Champagne, as the case may be, for medicinal use on emergent occasions.

Provided that the applicant is not a mionr and no permit shall be granted to more than one person of a household at any one time.

(*c*) No permit under sub-rule (b) shall be granted for a period beyond 31st March next following the date of the commencement of the permit and for a quantity exceeding 1/5 of litre of Brandy, or Rum for six months or 2/5 of litres of Champagne for 6 months.

(*d*) A permit holder desiring to renew his permit shall make a fresh application in that behalf and the provisions of sub-rules (a) to (c) of this rule shall apply to such application.

(*e*) No Brandy, Rum or Champagne shall be purchased or obtained by a permit holder who renews his permit under rule (d) if he has already in his possession, the maximum quantity of liquor permitted under sub-rule (c).

(*f*) The privileges of purchase, transport, and possession of Brandy, Rum or Champagne granted under the permit shall extend only so far as they are incidental to its use of consumption in accordance with these rules and the conditions of the permit.

(*g*) The liquor purchased under the permit shall be used solely by the permit holder and the members of his household :

Provided that the permit holder may allow the use or consumption of liquor in respect of which the permit has been granted, to any other person who requires the use thereof for medicinal purpose on emergent occasions ;

Provided further that when the permit holder so allows the use or consumption of liquor held by him under the permit to any other person he shall intimate the said fact in writing to the Officer-in-charge of the nearest Police Station within 24 hours of such use or consumption.

(*h*) The permit holder shall not obtain Brandy, Rum or Champagne except from a Government Depot or from a holder of a retailer's license. He shall get all purchases of such liquor entered in his permit by the Officer-in-charge of the Government Depot or the holder of a retailer's licence as the case may be.

(*i*) The permit holder shall abide by the conditions of the permit and the provisions of the Act, Rules, regulations and orders made thereunder and shall give an undertaking to that effect.

(j) The permit may be suspended or cancelled in accordance with the provisions of sections 45 and 47.

(*k*) In case the permit is suspended or cancelled during its currency or is not renewed on its expiry, the permit holder shall surrender forthwith the whole of the unused stock of liquer to the Deputy Commissioner. The stock so surrendered shall be sold by the Deputy Commissioner and the proceeds of sale shall after deducting the expenses and any sum due to the State Government be returned to the permit holder ;

Provided that the unconsumed stock of liquor surrendered by the permit holder shall not be sold for a price less than 50 per cent of the price fixed for such liquor by the Commissioner under rule 31 of these rules ;

Provided further that if there is no demand for such liquor or if it is found to be unfit for human consumption or adulterated, the Deputy Commissioner may order its destruction.

67. Special permit for Privileged persons:—(*a*) Any privileged person desiring to possess, use or consume liquor shall apply either himself or through his representative to the State Government or an Officer authorised by the State Government to grant permits under Section 34 of the Act in form L (A) 4 which shall be supplied to him free of cost.

(*b*) On receipt of the application the authority receiving the application shall after making such enquiries as it deems necessary, grant the applicant a permit in form L. S for the possession, use and consumption of liquor.

(*c*) The permit may be granted for a period not extending beyond the 31st of March next following the date of commencement of the permit.

(*d*) The permit may be granted without restriction as to the quantity.

(*e*) The privileges of purchase and possession of liquor granted under the permit shall extended only so for as they are incidental to its use or consumption in accordance with these rules and the conditions of the permit.

(*f*) Liquor permitted for consumption under the permit shall ordinarily be obtained by the permit holder from his own stock in customs, bond or from the stock in customs bond of a trade and import licensee;

Provided that the authority granting the permit may permit the permit holder to obtain liquor from any other source or place.

(*g*) The permit holder shall on relinquishing charge of his office or on his ceasing to be a person falling under any of the categories mentioned in sub-rule (a) above, surrender his permit together with the stock of liquor held by him thereunder to the Deputy Commissioner. The stock of liquor so surrendered may with the permission of the Commissioner be handed over to the permit holder's

successor in office or shall be disposed of in such manner as the Commissioner may direct ;

Provided that nothing in the sub-rule shall apply to any person falling under (a) (i) or his consort and (a) (ii) or his consort.

(*h*) The permit holder shall enter in his permit the quantity of liquor obtained by him from time to time, if it is obtained from his own stock in customs bond and if it is obtained from any other place the quantity of liquor so obtained shall be entered in the permit by the liquor licensee concerned.

(*i*) In the event of any permit holder going out of the State for more than two months, the stock of liquor held by him under the permit shall be disposed of in such manner as the Prohibition Commissioner may direct.

68. Tourist Permit.—(*a*) Any tourist holding Tourist Introduction card or Tourist visa and visiting the State of Mysore may if he desires to posses, use or consume liquor, apply to the Deputy Commissioner or any other officer authorised in this behalf in form L(A) 8, which form shall be supplied to him free of cost.

(*b*) On receipt of the application, the Deputy Commisioner or the authorised officer shall satisfy himself that the applicant is a Tourist and if he sees no objection grant him a permit in form L. 10(A) for the possession, use and consumption of liquor free of charge ; Provided that no such permit shall be granted to a minor.

(*c*) The permit shall be granted for the period of the applicant's intended stay in the State of Mysore, but not exceeding two months in any case.

(*d*) The permit shall be granted for a quantity not exceeding one unit per week.

(*e*) The permit holder shall not possess at any one time any quantity of liquor in excess of the quantity specified in the permit.

(*f*) The privileges of purchase, transport and possession of liquor granted under the permit shall extend only so far as they are incidental to its use or consumption in accordance with these rules and conditions of the permit.

(*g*) The liquor permitted for consumption under the permit shall not except with the previous permission of the Commissioner be obtained from any place other than a Government depot or a holder of a licence.

(*h*) The permit holder shall get the details entered in his permit of all liquor obtained by him from time to time by the Officer-in-charge of the Government depot or a holder of a licence as the case may be or by the officer issuing the permit in any other case.

(*i*) The permit shall be liable to suspension or cancellation in accordance with the provisions of section 45 and 47.

(*j*) Where a permit is suspended or cancelled during its currency, the permit holder shall surrender forthwith the whole of the unused stock of liquor to the Deputy Commissioner. The stock so surrendered shall be sold by the Deputy Commissioner and the proceeds of the sale shall after deducting the expenses and any sum due to the State Government be returned to the permit holder;

Provided that the unconsumed stock of liquor surrendered by the permit holder shall not be sold for a price less than 75 per cent of the price fixed for such liquor by the Commissioner under rule 31 of these rules;

Provided further that if there is no demand for such liquor or it is found to be unfit for human consumption or adulterated the Deputy Commissioner may order its destruction.

69. Interim Permit.—(*a*) Any person who is eligible for a temporary resident's permit, health permit or special permit for privileged personages and desires to possess or use or consume liquor, may apply to the Deputy Commissioner or any other Officer authorised in this behalf in

form L(A) 6 for an interim permit, while applying for a regular permit under any of the said rules.

(*b*) On receipt of the application, the Deputy Commissioner or the Authorised Officer shall satisfy himself, (i) that such applicant is not a minor and (ii) that the applicant is *prima facie* eligible for a permit under sections 31, 32 and 34 as the case may be.

(*c*) If the Deputy Commissioner or the officer authorised under sub-rule (a) is satisfied that there is no objection to grant an interim permit pending the disposal of the application for a regular permit applied for under sub-rule (a) above, he may grant the applicant a permit in form L. 10, for the possession, use and consumption of liquor on payment of a fee of Rs. 5.

(*d*) No such permit shall be granted for a period exceeding 1 month.

(*e*) The permit shall be granted for such monthly quantity of liquor as the Deputy Commissioner may fix;

Provided that such quantity shall not exceed 2 units of liquor per month if the application is for a health permit or 4 units of liquor per month in other cases except with the sanction of the Prohibition Commssioner.

(*f*) The permit holder shall not possess at any one time any quantity of liquor exceeding that which has been fixed in his case by the Deputy Commissioner or other authorised officer under sub-rule (e).

(*g*) The privileges of purchase and possession of liquor granted under the permit shall extend only so for as they are incidental to its use or consumption in accordance with these rules and the conditions of the permit.

(*h*) (i) Liquor permitted for consumption under the permit shall not except with the previous permission of the Prohibition Commissioner be obtained from any place other than a Government Depot or a hotel or club licensee or a holder of a retailer's license as the case may be.

(*i*) The permit holder shall abide by the conditions of the permit and the provisions of the Act and the rules,

regulations and orders made thereunder and shall give an undertaking to that effect.

(*l*) The permit may be suspended or cancelled in accordance with the provision of Section 45 and 47.

(*k*) Where a permit is suspended or cancelled, during the currency of the permit period the permit holder shall surrender forthith the whole of the unconsumed stock of liquor to the Deputy Commissioner and the proceeds of the sale shall after deducting the expenses and any sum due to the State Government be returned to the permit holder.

Provided that the unconsumed stock of liquor surrendered by the permit holder shall not be sold for a price less than 75 per cent of the price fixed for such liquor by the Commissioner under rule 31 of these rules.

Provided further that if there is no demand for such liquor or if it is found to be unfit for human consumption or adulterated the Deputy Commissioner may order its destruction.

PART VII.

POSSESSION AND USE OF BRANDY AND RUM BY INDUSTRIAL, EDUCATIONAL, SCIENTIFIC, RESEARCH OR SUCH OTHER INSTITUTIONS OR BY A PILOT OF AN AIRCRAFT OR BY A PERSON IN CHARGE OF AN AMBULANCE OR A FIRST-AID STATION FOR RENDERING FIRST-AID FOR MEDICINAL PURPOSE IN ANY EMERGENCY.

70. Application for License.—Any person in charge of an Industrial, Educational, Scientific, Research or such other Institution or a pilot of an aircraft or any person in charge of an ambulance of a first-aid station desiring to possess and use Brandy and Rum for rendering first-aid or for emergent medicinal purpose shall apply to the Deputy Commissioner in form L(A) 7. He may obtain such form from the Deputy Commissioner on payment of a fee of Re. 1.

Explanation —"First-aid Station" means any place recognised as such by the State Government.

71. Grant of license.—On receipt of an application, the Deputy Commissioner may make such enquiries as he deems necessary and if he is satisfied that there is no objection, he may in conformity with the orders of the State Government and the Commissioner if any issued in that behalf, grant the applicant, on payment of a fee of Re. 1 a licence in form L. 11.

72. Limit of Possession and Purchase.—The Deputy Commissioner may fix the quantities of Brandy or Rum both (a) which the licensee may possess at any one time and (b) which he may purchase during a calendar month;

Provided that without the previous sanction of the Commissioner, the quantity which he may possess at any one time shall not exceed ½ litre each of Brandy and Rum and the quantity which may be purchased during a month shall not exceed one litre each of Brandy and Rum.

73. Duration of license.—No license under rule 71 shall be granted for a period beyond 31st March next following the date of the commencement of the license.

74. Source of Supply.—A licensee shall not obtain Brandy or Rum except from a Government Depot or from a holder of a retailer's license:

Provided that the Commissioner may permit him to obtain it from any other place.

75. Use—The Brandy or Rum purchased under the license shall not be used except for rendering first-aid or for medicinal purpose in any emergency. The licensee may use or consume such Brandy or Rum and also allow consumption or use of such Brandy or Rum by any person urgently requiring it on *bona fide* medical grounds or for rendering first-aid.

76. Register of Use.—The licensee shall maintain a register of use of Brandy and Rum in which he shall enter day to day particulars in respect of the following.—

(*a*) Date, month and year;

(*b*) Opening balance of (1) Brandy and (2) Rum;

(*c*) Quantity purchased of (1) Brandy and (2) Rum

(*d*) Total quantity of (1) Brandy and (2) Rum;

(*e*) Total quantity of (1) Brandy and (2) Rum used during the day;

(*f*) Closing balance of (1) Brandy and (2) Rum;

(*g*) Name, and addresses of persons to whom Brandy and Rum was administered during the day;

(*h*) Quantity of (1) Brandy or (2) Rum administered to each person (to be shown against his name);

(*i*) Reasons in details which necessitated administration of Brandy or Rum (to be shown against the name of each person);

(*j*) Signature of the licensee.

77. Unused Stock.—The licensee shall on the termination of his licence, deliver the quantity of Brandy and/or Rum remaining unused with him, the register maintained under rule 76, and the license to the Deputy Commissioner. The Quantity of Brandy and Rum so delivered shall be sold by the Deputy Commissioner and the proceeds of the sale shall after deducting the expenses and any sum due to the State Government be returned to the licensee;

Provided that the unused Brandy or Rum delivered by the licensee shall not be sold for a price less than 50 per cent of the price fixed for such liquor by the Commissioner under rule 31 of these rules;

Provided further that the unconsumed stock of liquor is, in the opinion of the Deputy Commissioner fit for consumption and unadulterated:

Provided further that if there is no demand for such liquor or if it is found to be unfit for human consumption

or adulterated the Deputy Commissioner may order its destruction.

78. Licensee to abide by the Provisions of the Act Etc.—(*a*) The licensee shall comply with all orders or directions issued from time to time by the Commissioner, Deputy Commissioner, Prohibition Officer or any other Authorised Officer.

(*b*) Every licensee shall give to the Deputy Commissioner, at the time of taking delivery of the license an undertaking in the form of a counterpart agreement on a duly stamped paper that he will abide by the provisions of the Act and rules, regulations and orders made thereunder and that he agrees to abide by all the conditions of the license.

PART VIII.

Consumption and Sales of Liquor on Steamers

79. Bringing of Liquor by Passengers on Coastal-Ships on Steamers Etc.—(*a*) No passenger on Board any vessel, boat, launch, ship, steamer, plying on the coast of the State shall possess any liquor while such vessel, boat, launch, ship and steamer is in the territorial waters of the State unless such possession is covered by a valid permit.

(*b*) The stock of liquor in all coastal-ships or steamers shall be sealed by the Captain, or any one authorised by the Captain before the ship or steamer touches any harbour in the State and no sale or consumption from such stock should be made while such steamer is in any port in the State.

(*c*) No license or permit shall be required for sale, purchase, possession, use or consumption of liquor on board of such steamer or ship when the steamer or ship is beyond the territorial waters of India.

(*d*) The captain of the steamer or ship shall be responsible for the observance of the above rules.

80. Foreign Steamers and Through Steamers.—(*a*) The stock of liquor in any foreign steamer or through steamer or with any through passengers or crew thereof, if it touches any harbour in the State shall be sealed in consultation with the customs authority as soon as it enters the territorial waters of the State.

(*b*) No sale or consumption from such stock should be made while such steamer is in any port of the State and visitors and disembarking passengers are on board the steamer.

(*c*) After the disembarking passengers and visitors have left the steamers, the sealed stock of liquor shall be released for consumption by through passengers and the crew.

(*d*) No person other than the through passenger or the crew shall possess, use consume liquor on board such steamer.

(*e*) No license or permit shall be required for sale, purchase, possession, use or consumption of liquor on board such steamer if it is in accordance with the above rules.

(*f*) If the steamer terminates its voyage at any port in the State, the stock of liquor in the Bar of the steamer shall be sealed by the customs authorities and shall not be released until the steamer leaves the port on outward voyage.

(*g*) Sale and consumption of liquor on such steamer shall not be permitted after the steamer enters any port nor before it leaves that port. The Captain of the steamer as well as the Proprietor or the Manager of the Bar shall be responsible for the observance the rule.

Explanation—In this rule, steamer includes any ship or other vessel but does not include any man of war or other public vessel sailing under a foreign flag.

PART IX

POSSESSION, CONSUMPTION, USE AND SALE OF LIQUOR ON PRESCRIPTIONS.—

81. Application for License to dispense Brandy or Rum on prescription :—Any registered medical practitioner or chemist, druggist, apothecary or dealer in medicinal preparations desiring to dispense brandy or rum on prescription may apply to the Deputy Commissioner for a license in that behalf and may dispense brandy or rum after the grant of a license under rule 82 of these rules. The application shall contain the following particulars, namely :—

(*a*) Name and address of the applicant ;

(*b*) Location of the premises where brandy or rum will be dispensed with, the name of the building, street, city, town or village as the case may be ;

(*c*) If the applicant is a registered medical practitioner, the number of registration and the year in which he was registered ;

(*d*) Kinds of licenses held, if any, by the applicant under the Mysore Prohibition Act, 1961 and the Dangerous Drugs Act, 1930.

82. Grant of License.—(*a*) On receipt of the application under Rule 81, the Deputy Commissioner may make enquiries for verification of the details stated in the application and also such other enquiries as he deems necessary. If he is satisfied that there is no objection to grant the license, he may grant the license in form L. 1 on payment of a fee of Rs. 10 if the applicant is a registered medical practitioner and of Rs. 20 if the applicant is a chemist, druggist, apothecary or dealer in medicinal preparations.

(*b*) The Deputy Commissioner may fix the quantities of brandy or rum or both (1) which the licensee may possess at any one time and (2) which he may purchase during a month ;

Provided that except with the previous permission of the Commissioner, the quantity which may be possessed at any one time shall not exceed one litre bottle each of brandy and rum and the quantity which may be purchased during a month shall not exceed two litres of each of brandy and rum.

83. Duration of license.—No license under rule 82 shall be granted for a period beyond 31st March next following the date of the commencement of the license.

84. Source of supply—(*a*) No person holding a license in form L. 12 shall obtain brandy or rum except from a Government Depot or from a holder of a retailers license.

(*b*) The licensee shall preserve cash memos and permits relating to the purchases of brandy or rum received by him during the period of the license.

85. What Brandy or Rum shall not be kept.—The licensee shall not receive or keep in his licensed premises any brandy or rum which has not been obtained or transported in accordance with the provisions of the Act or the rules, regulations or orders made thereunder.

86. Dispensing on Prescriptions only.—(*a*) The licensee shall not dispense brandy or rum to any person except on prescription issued in the name of such person and except as one of the ingredients of the medicine given under the prescription:

Provided that a registered medical practitioner shall not prescribe or dispense brandy or rum for his own use and consumption, or for any servant or other person working under him.

(*b*) The licensee shall not dispense brandy or rum to any person other than the person in whose name the prescription is issued and in any quantity exceeding that specified therein:

Provided that the licensee may deliver the medicine so dispensed by him to a person other than the person specified in the prescription if such other person is authorised by the medical practitioner or the person in whose name the prescription is issued to take delivery of the medicine and endorse such other persons name on the cash memo referred to in sub-rule (f) of this rule.

(*c*) The licensee shall not dispense brandy or rum on a prescription unless the prescription is in writing and is dated and signed by a registered medical practitioner with his full name, registeration number, qualifications and address and the name and address of the person to whom it is issued and the total quantity of brandy or rum to be dispensed as one of the ingredients of madicine is specified in such prescription.

(*d*) (i) No brandy or rum shall be dispensed by the licensee not being a registered medical practitioner unless the prescription is marked with words "not to be repeated":

Provided that brandy or rum may be dispensed more than once to the same person in pursuance of a fresh prescription duly dated and signed by the registered medical practitioner in accordance with rule (c) above.

(ii) The licensee shall not, except with the previous sanction of the Deputy Commissioner, dispense brandy or rum to the same person for a period of more than ten consecutive days.

(*e*) The licensee shall mark on every prescription dispensed by him, his name and the locality of the premises wherein he carries on the business and the date on which it was dispensed.

(*f*) The licensee not being a registered medical practitioner shall on each occasion on which he dispenses brandy or rum retain the original prescription on his record, give a cash memo in form (A).

(*g*) The licensee shall file and preserve all prescriptions for a period of one year from the date of issue of prescription upon which brandy and rum has been dispensed by him, and shall produce such prescription along

with the license and stock of brandy or rum which may be in his possession for inspection on demand by the Deputy Commissioner or any other Officer empowered under Section 101.

87. Register of sale.— (a) licensee not being a registered medical practitioner, shall maintain a register, wherein, he shall from time to time, record the full name and address of the registered medical practitioner whose prescriptions prescribing brandy or rum were dispensed by him and of the persons in whose name such prescriptions were issued and also the quantity of brandy or rum dispensed by him by the prescriptions.

(*b*) The licensee who is a registered medical practioner shall maintain a register wherein he shall from time to time record the full names and addresses of the persons in whose name the prescription prescribing brandy or rum was issued and also note the quantity of brandy or rum dispensed by him.

(*c*) The licensee shall also maintain a register wherein he shall write from day to day, true and proper accounts of the quantity of brandy or rum dispensed by him balance held by him in stock.

(*d*) The licensee shall before the 7th day of each calendar month furnish to the Deputy Commissioner or such other Officer as may be appointed in this behalf, a copy of the entries made by him in such register during the preceding calendar month.

88. Transport without permit by Registered Medica Practitioner .— If the licensee is a registered medical practitioner, he may, without a permit, carry with him from place to place within the State for the purpose of dispensing during the course of his practice, any quantity of brandy or rum not exceeding one half litre of each.

89. Regulation of Business.— (a) (i) The licensee shall maintain an inspection book, paged and stamped with the seal of the Deputy Commissioner or with the seal of any

Authorised Officer within whose jurisdiction the licensed premises are situated ;

(ii) The inspecting officers may record in the inspection book any remarks when inspecting the licensed premises.

(*b*) The licensee, shall, on the termination of the period of his license deliver up the quantity of brandy or rum remaining unsold with him, the inspection book, the accounts, registers and licenses to the Deputy Commissioner. The quantity of brandy or rum so delivered shall be sold by the Deputy Commissioner and the proceeds of the sale, shall after deducting the expenses and any sum due to the Government be returned to the licensee :

Provided that the unconsumed stock of liquor surrendered by the permit holder shall not be sold for a price less than 75 per cent of the price fixed by the Commissioner under rule 31 of these rules for such liquor, if the liquor is in sealed bottles, and not less than 50 per cent of the price for such liquor, if the liquor is loose ;

Provided further that the unconsumed stock is in the opinion of the Deputy Commissioner fit for consumption and unadulterated :

Provided also that if there is no demand for such liquor or if it is found to be unfit for human consumption or adulterated the Deputy Commissioner may order its destruction.

(*c*) No person shall be recognised as the partner of the licensee for the purpose of the license, unless the partnership has been declared to the Deputy Commissioner before the license is granted and the name or names of the partners have been entered Jointly in the licence, or if the partnership is entered into after the granting of the licence, unless the Deputy Commissioner agrees on application made to him to alter the licence and add the names of the partners in the license.

Explanation.—For the purpose of this sub-rule the term licensee shall not include a registered medical practitioner holding a licence under rule 82.

90. Licensee to Abide by the Provisions of the Act etc —(*a*) The licensee shall comply with all orders and directions issued from time to time by the Commissioner, Deputy Commissoner or any other Prohibition Officer.

(*b*) The licensee shall at the time of taking delivery of the licence give to the Deputy Commissioner an undertaking in the form of a counterpart agreement on a duly stamped paper that he will abide by the provisions of the Act and rules, regulations and orders made thereunder and that he agrees to abide by all the conditions of the licence.

91. Sale of Champagne and Port Wine on Prescription.—(*a*) Champagne and Port Wine may be sold at any Government depot on the production of a prescription:

Provided that where there is no Government Depot, Champagne and Port Wine may likewise be sold by any holder of a retailer's licence on obtaining a licence in that behalf under rule 92.

(*b*) No licence shall be necessary for sale on prescription of champagne and port wine by the officer in charge of the Government Depot. The Officer in charge shall however abide by the rules in this part and shall also comply with all orders and instructions issued by the Commissioner, Deputy Commissioner, Prohibition Officer or any other Officer duly empowered in this behalf.

Explanation.—For the purpose of this rule and rules 92 and 93, a prescription shall mean, a prescription issued in form (B) by a registered medical practitioner who is a family physician of the person for a period of not less than one year immediately proceeding the date of such prescription.

92. Application for license to sell champagne and port wine on prescription.—(*a*) Subject to the provisions of rule 91, any holder of a retailer's license in form L.2 desiring to sell champagne and port wine on a prescription may apply to the Deputy Commissioner for a licence in that behalf and may dispense champagne and port wine after a licence under this rule is granted. The application shall contain the following particulars:—

(*i*) Name and address of the applicant;—

(*ii*) Number of the retailer's licensce held by the applicant;

(*iii*) Location of the premises in respect of which the applicant holds the retailer's licence.

(*b*) On receipt of the application, the Deputy Commissioner may make enquiries for verification of the details stated in the application and also such other enquires as he deems necessary. If he is satisfied that there is no objection to grant the licence, he may, grant the applicant license in form L (13) on payment of a fee of Rs. 20.

(*c*) The licensee shall not sell champagne or port wine to any person except on the production of a prescription. The provisions of Rules 83, 84, 85, 86, 87, 89 and 90 shall as for as may be apply in respect of a lieense granted in form L (13).

93. Possession of Brandy rum champagne or port-wine etc.—(*a*) Any person may without a licence, permit or pass, buy, possess, transport, or consume or use;

(1) any medicine containing such quantity of brandy or rum as has been dispensed to him under a prescription; or

(2) any champagne or port wine sold to him on a prescription in accordance with the provision of this part;

(*b*) The purchase, possession and transport of medicine containing brandy or rum or of champagne or port wine by a person on behalf of an infirm or invalid person or any other person who is not physically fit shall be permitted without a license, permit or pass provided that (1) the infirm or invalid or physically unfit person is a person in whose name a prescription precribing medicine containing such brandy or rum or prescribing champagne or port wine has been issued; and (2) the name and address of the person purchasing, possessing or transporting are endorsed by the licensee on the original prescription as well as on the cash memo in form (A) referred to in sub-rule (f) of rule 86.

FORM L

(*See Rule* 5)

License No ....of 19 ....19.....

Ordinary trade and import license for the removal from the customs house and for the import and sell in wholesale of all liquors (potable) and not to be drunk on the premises.

License is hereby granted under and subject to the provisions of the Mysore Prohibition Act, 1961 and the rules, regulations and orders made thereunder to.....

.....

.....

(hereinafter called "the licensee') on payment of a fee of Rs .....

.....

and a deposit of Rs.....

in advance authorising him to remove from the customs-house and import and sell by wholesale liquor at his premises situated at

.....

(hereinafter referred to as "the licensed premises") from .....

....to 31st day of March .....

(both days inclusive) subject to the following conditions :—

Conditions

(1) The licensee shall not sell liquor at any place other than licensed premises nor shall he stock liquor in any place except in the licensed premises or if specially permitted in writing by the Deputy Commissioner at the licensed ware-house if any which is situated at the place specified below. He shall keep separate accounts of stocks of liquor kept at the ware-house. A consolidated account of stocks of liquor at the licensed premises and the ware-house shall also be maintained by him. Stocks of liquor shall be transported from the ware-house to the licensed premises under permits issued by a Prohibition or other officer, duly authorised in this behalf. In no case shall the licensee sell liquor from such ware-house.

SITUATION OF WARE HOUSE :

(2) The licensee shall pay to Government in advance at the beginning of each quarter, commencing from the date of license, such cost of the staff, if any appointed at the licensed premises for the purpose of supervision as may be fixed by the Prohibition Commissioner from time to time.

(3) The expenses if any in respect of supervision for transporting liquor to the licensed premises shall also be paid by the licensee.

(4) The licensee shall sell liquors at prices not exceeding those that may be fixed from time to time by the Prohibition Commissioner.

(5) The licensee shall furnish such information in connection with his business under the license as may be required by the Prohibition Commissioner.

(6) The licensee shall comply with all orders and instructions issued to him by the Prohibition Officers.

(7) This license is valid only after the licensee executes the counterpart agreement as required by the rules.

(8) Except with the permission of the Deputy Commissioner the licensee shall not sell, transfer or sub-lease, his right of selling connection with the said right, enter into any agreement or arrangement which is in the nature of a sub-lease. If any question arises whether any agreement or arrangement is in the nature of a sub-lease the decision of the Deputy Commissioner on such question shall be final and binding on the licensee.

(9) The licensee shall affix to the front of his licensed premises a sign board bearing his name, the number of licensed premises and the location thereof.

(10) The licensee, his heirs, successors or assigns shall have no claim whatsoever to the continuance or renewal of the license after the expiry of the period for which it is granted. It shall be entirely within the discretion of the Deputy Commissioner to permit or not the assignees of the licensee in case of a sale or transfer or the heirs of successors of the licensee, in case of death

to have the benefit of the license for the unexpired portion of the term for which it is granted.

Granted this.....day of .....

.....19.....

Deputy Commissioner,

Station. ..... Distlct.

Seal of the Deputy Commissioner.

FORM F. L. II

(See Rule 23)

Licence No. 19. 19.

Retailer's Licence for the Sale of Liquor.

Licence is hereby granted under and subject to the provi sions of the Mysore Prohibition Act 1961 and the rules, regulations and orders made thereunder, to.....

.....

of .....

(hereinafter called "the Licensee") on payment of a fee of Rs.

.....

and deposit of Rs.....

in advance authorising him to sell liquor at his premises situated at .....

(hereinafter called "the Licensed premises") during the period from

.....

to 31st March 19 (both days inclusive) subject to the following conditions namely :—

Conditions.

(1) The licensee shall carry on the business of selling liquor at the licensed premises either personally or by agent or servant duly authorised by him in this behalf by a written nowkarnama signed by himself and countersigned by a Prohibition Officer; provided that any such nowkarnama signed by the licensee shall be valid unless and until such countersignature is refused. If for any reason the Deputy Commissioner shall order the withdrawal of any nowkarnama issued by the licensee, the nowkarnama will be withdrawn. For every nowkarnama issued by him and counter-signed, the licensee shall pay a fee of Re. 1. No nowkarnama shall be issued to any person under 18 years of age, and no such nowkarnama, if issued, shall be valid.

(2) The licensee shall if required by the Deputy Commissioner pay to the State Government in advance at the beginning of each quarter Commencing from the date of the licence, such cost of the

staff, if any appointed at the licensed premises for the purpose of supervision as may be fixed by the Prohibition Commissioner.

(3) Except with the permission of the Deputy Commissioner the licensee shall not sell, transfer or sub-leace, his right of selling liquor conferred upon him by the licensee, nor shall he in connection with the said right enter into any agreement or arrangement which is in the nature of a sub-lease. If any question arises whether any agreement or arrangement is in the nature of a sub-lease the decision of the Deputy Commissioner on such question shall be final and binding on the licensee.

(4) The licensee shall affix to the front of his licensed premises a sign board bearing his name, the name of the licensed premises and the location thereof.

(5) The licensee, his heirs, suceessors or assigns shall have no claim whatsoever to the continuance or renewal of the licence after the expiry of the period for which it is granted. It shall be entirely within the discretion of the Deputy Commissioner to permit or not the assignees of the licensee in case of sale or transfer or the heirs or successors of the licensee in case of death to have the benefit of the licence for the unexpired portion of term for which it is granted.

(6) The licensee shall not sell liquor at any place other than the licensed premises nor shall he stock liquor in any place except in the licensed premises or if specifically permitted in writing by the Deputy Commissioner at the licensed warehouse which is situated at the place specified below. He shall keep separate accounts of stocks of liquor kept at the warehouse. A consolidated account of stocks of liquor at the licensed premises and the warehouse shall also be maintained by him. Stocks of liquor shall be transported from the ware-house to the licensed premises under permits issued by a Prohibition or other officer duly authorised in this behalf. In no case shall the licensee sell liquor from such warehouse.

Situation of Warehouse :—

(7) The expenses if any in respect of supervision for transporting liquor to the licensed premises shall be paid by the licensee.

(8) The licensee shall sell liquors at prices not exceeding those that may be fixed from time to time by the Prohibition Commissioner.

(9) The licensee shall furnish such information in connection with his business under the licence as may be required by the Prohibition Commissioner.

(10) The licensee shall comply with all orders and instructions issued to him by the Prohibition Officer.

(11) This license is valid only after the licence executes the counterpart agreement as required by rule 20 of the Mysore Prohibition (Liquor) Rules 1962.

(12) A licensee shall not sell any liquor except for cash.

(13) A licensee or his authorised agent or servant shall make out a cash memo in duplicate which shall be signed by the licensee or his authorised agent or servant.

(14) The original copy of the cash memo shall be handed over to the permit holder and the duplicate copy shall be retained by the licensee for his record.

(15) The cash memo shall clearly show.

(*a*) the name of the licencee, his licence number and the nature permit of held by him ;
(*b*) the name of the permit holder and the permit number and the nature of permit held by him ;
(*c*) the details regarding the brand and quantity of liquor sold ;
(*d*) the amount charged in respect of the sale of liquor to the permit holder.

(16) the duplicate copies of cash memo shall at all reasonable times be open to Inspection by a Prohibition Officer or other officer empowered under Section 101 of the Mysore Prohibition Act.

Granted this..... day of.....
.....19.....

Station :
Date :

Deputy Commissioner.
..... District.

Seal of the Deputy Commissioner.

FORM L. III

(See Rule 43).

No.....19.....19.....

Licence for the sale at a hotel of liquors on which excise duty has been paid.

License is hereby granted under and subject to the provisions of the Mysore Prohibition Act, 1961 and the rules, regulations and orders made thereunder to.....
.....
of.....
(hereinafter called "the licensee") on payment of a fee of Rs.....
and a deposit of Rs.....
in advance, authorising him to sell the ollowing liquors during th period from.....
to 31st March 19..... (both days inclusive) at his hotel situated at.....
subject to the following conditions :—

Conditions.

(1) The licensee shall not sell liquor for consumtion on the licensed premises except in the Room no ..... assigned for that purpose. He shall not allow any drinking to continue in the said room out side the hours of sale. Any liquor remaining in the said room unconsumed during unauthorised hours of sale shall be destroyed.

(2) No liquor other than that sold by the licensee shall be allowed to be consumed in the said room.

(3) The licensee shall not sell liquor except to permit holders residing or boarding at the hotel.

(4) the licensee shall sell liquor at a price not exceeding that fixed by the Prohibition Commissioner from time to time.

(5) The licensee shall pay to the State Government in advance at the beginning of each quarter commencing from the date of the licence such cost of the Excise Staff, if any appointed at the hotel as may be fixed by the Prohibition Commissioner.

(6) (a) The licensee shall give immediate information to the nearest police officer of every person visiting his hotel whom he suspects to have committed an offence under the Act and of every act committed at the hotel tending to disturb the public peace.

(b) The licensee shall write in a bound book, paged and sealed with the Deputy Commissioner's seal, the name of every person, who comes to reside at the hotel with the dates of his arrival and departure. Such book shall always be open to inspection by an officer duly empowered under Section 101 of the prohibition Act. If any person whe comes to reside at the hotel refuses to give his name, information of the fact shall be given to the District Superintendent of Police.

(7) The licensee shall at all times keep the hotel and all appurtenances there to in clean and decent condition and the licensee shall comply with any directions issued by the Prohibition Commissioner in that behalf.

(8) The licensee shall furnish such information in connection with his business under the license as may be required by the Prohibition Commissioner or Deputy Commissioner from time to time.

(9) The licensee shall comply with all lawful orders and instructions issued to him by the Prohibition officers.

(10) This license may be suspended or cancelled in accordance with the provisions of Sections 45 and 47 of the Mysore Prohibition Act, 1961.

(11) This licence is valid only after the licensee executive the counterpart agreement as required by the rules.

(12) Except with the permission of the Deputy Commissioner he licensee shall not sell, transfer or sub-lease. The right of elling liquor conferred upon him by this licence, nor shall be in connection with the said right, enter into any agreement or arrangement which is in the nature of a sub-lease. If any question arises whether any agreement or arrangement is in the nature of a sub-lease the decision of the Deputy Commissioner on such question shall be final and binding on the licensee.

(13) The licensee shall affix to the front of his licensed premises a sign board bearing his name, the number of the licensed premises and the location thereof.

(14) The licensee, his heirs, successors or assigns shall have no claim what soever to the continuance or renewal of the license after the expiry of the period for which it is granted. It shall be entirely within the discretion of the Deputy Commissioner to permit or not, the assignee of the licensee in case of sale or transfer, or the heirs or successors of the licensee, in case of death, to have the benefit of the licence for the unexpired portion of the term for which it is granted.

Granted this..... day of.....
19.....

Station.

Deputy Commissioner,
.....District.

Seal of the Deputy Commissioner.

FORM L.4.

(*See* Rule 46).

No..... ....19..... 19.....

Licence for the sale of Liquors at a Club.

Licence is hereby granted under and subject to the provisions of the Mysore Prohibition Act, 1961 and the rules, regulations and orders made thereunder to .....
..... Secretary of the
.....
club (hereinafter called " the licensee ") on payment of a fee of Rs.....
and a deposit of Rs.....
in advance authorising him to sell the following liquors during the period from.....
to 31st March, 19..... in.....
club situated at.....
(hereinafter called " the licensed premises ") subject to the following conditions namely :—

Conditions.

(1) Liquors permitted to be sold under this licence are as follows:—

(*a*) Wines.....
(*b*) Fermented liquors.....
(*c*) Spirits.....

(2) (*a*) The licensee shall not sell liquors to persons other than the members of the club who are holders of permits. He shall not make any sale of liquor to any such member unless the member has got a corresponding balance of units remaining unpurchased against his permit duriug the month of such sale to him.

(*b*) The licensee shall enter the details of sale of liquor to any member in the permit of any such member.

(*c*) The licensee shall maintain a register of members who hold permits and state therein their permit number and units sanctioned to them.

(*d*) The licensee shall in the said register enter the details of liquor sold to each member from day to day.

(3) The licensee shall not sell or serve liquor except between the hours of 10 A.M. and 11 P.M.

The Prohibition Commissioner shall have the right of restricting or varying the hours of sale of liquor as he may deem necessary and such alteration in the hours of sale shall not entitle the licensee to any compensation.

(4) (a) The licensee shall not sell liquor for consumption on the licensed premises except in Room No. assigned for that purpose. He shall not allow any drinking to continue in the said room outside the hours of sale. Any liquor remaining in the said room unconsumed during unauthorised hours of sale, shall be destroyed.

(b) The licensee shall not sell liquor to a member who is insane or known or believed to be intoxicated.

(5) No liquor other than that sold by the licensee shall be allowed to be consumed in the said room.

(6) (a) The licensee shall not receive as consideration or a part thereof for the sale of any liquor, any wearing apparel or ornaments or any other thing except coins, currency notes or cheques.

(b) The licensee or his agent or servant duly authorised in this behalf shall make out a cash memo in duplicate signed by himself or his agent or servant as the case may be and by the permit holder in respect of liquor sold to any member and shall give the first copy of the memo to such member and retain the duplicate with himself.

(c) The cash memo, shall clearly show the name of the club, the name of the member, his permit number, details regarding the brand and the quantity of liquor sold and the amount charged.

(d) The duplicate copies of the cash memos made out under clause (b) shall at all reasonable times be open to inspection by the Prohibition Commissioner, Deputy Commissioner, Prohibition Officer or any other Officer empowered under Section 101 of the Mysore Prohibition Act 1961.

(7) The licensee shall sell liquor at a price not exceeding that fixed by the Prohibition Commissioner from time to time.

(8) The licensee shall pay to the State Government in advance at the beginning of each quarter commencing from the date of the licence such cost of the excise staff, if any, appointed at the club as may be fixed by the Prohibition Commissioner.

(9) (a) The licensee shall give immediate information to the nearest police officer of every person visiting his club whom he suspects to have committed an offence under the Act and of every act committed at the club tending to disturb the public peace.

(b) The licensee shall write daily in a bound book, paged and sealed with the seal of the Deputy Commissioner, the name of every person who comes to reside at the club with the dates of arrival and departure. Such books shall always be open to inspection by any officer duly empowered under Section 101 of the Mysore Prohibition Act 1961.

(10) The licensee shall at all times keep the licensed premises and all appurtenances thereto in a clean and decent condition and the licensee shall comply with any direction issued by the Deputy Commissioner in that behalf. The licensee shall furnish such information in connection with his business under the licence as may be required by the Prohibition Commissioner from time to time.

(11) The licensee shall furnish such information in connection with his business under the licence as may be required by the Prohibition Commissioner from time to time.

(12) The licensee shall comply with all orders and instructions issued to him by the Prohibition Officers.

(13) It shall be entirely in the discretion of the Deputy Commissioner to renew or not to renew the licence at the expiration of the term for which it has been granted.

(14) (a) The licence may be suspended or cancelled in accordance with the provisions of Sections 45 and 47 of the Mysore Prohibition Act 1961.

(b) In case the licence is suspended or cancelled during the currency of the licence period or is not renewed on its expiryr the licensee shall forthwith intimate the Deputy Commissione, of the quantity of the liquor in stock with him. On receipt of such information the Deputy Commissioner shall instruct the

Prohibition Officer or other Officer to verify the stock and seal up the premises. The stock will, however, be deemed to be in the custody of the ex licensee who will make arrangements and will be responsible for its safety. The stock may only be sold with the permission of the Deputy Commissioner to other licensees. The licensee will not, however, be allowed to receive fresh stock after his license expires, or is suspended or cancelled except the stocks for which the transport or import permits have been issued and which are in transit. The permission to sell the liquor to other licensees will be subject to the condition that all sums due to the Government will first be paid out of the sale proceeds. This licence is valid only after the licensee executes the counterpart agreement as required by the rules,

Granted this.....day ..... 19.....

Deputy Commissioner,

.....District.

Station.

Seal of the Deputy Commissioner.

*here specify the room or place assigned for sale, storage and consumption of liquor.

FORM L.A. (1)

Application for a permit

1	Name in full (surname in block Letters).	....
2	Residential address in full	.....
3	Nationality	.....
4	Place of Birth	.....
5	*Country of domicile	.....
6	No. of the passport and the authority which issued it.	.....
7	Age as on last birth day	.....
8	Occupation	.....
9	Monthly income	.....
10	Whether the applicant had applied for any permit in the past three years and if so, when and to whom	
11	Whether any member of the applicant's family has applied for liquor permits. If so, details thereof should be given	.....
12	No. of units of liquor required per month	.....
13	Date of arrival in India	.....
14	The period of intended residence in India	....

I hereby declare that :—

(a) I was born in/domiciled in.....
.....

(b) I am ordinarily using or consuming liquor ;

(c) I have been residing and intend to reside in India temporarily ;

(d) Liquor is generally being used or consumed in the country where I was born/domiciled ;

---

* (quote registration No. and office of registration if the applicant is registered under the Foreigners Registration Act).

(e) I do not hold any permit under Section 31, 32, 34 or 38 of Mysore Prohibition Act, 1961 nor have I made any other application for a permit under any of the above Sections except an application for an interim permit under Section 38.

(f) I have/have not been convicted on ..... at any time of an/any offence punishable under any provisions of the Mysore Prohibition Act, 1961 or rules, regulations, or orders issued thereunder or under the Prohibition Acts or rules of any other State in India. There is a/is no prosecution under Section/any provisions of the said act pending against me in the/ any court.

(g) The particulars given above are correct.

I hereby undertake to abide by the conditions of the permit and the provisions of the Mysore Prohibition Act, 1961, and the rules and regulations and orders made thereunder.

Date :

Place :

Signature of the Applicant

.....District.

Reverse of the application form L. A. (1)
(Not to be filled in by the applicant).

Action taken.

Received the application

Dated : .....

Called on : .....

Date of registration .....
Permit prepared on .....
Checked by .....
Permit ready for delivery on .....
.....
Received the permit No. .....
on ....

Seen on .....

Filed on .....

Signature of the applicant

Signature of the permit issuing authority.

FORM OF RECEIPT

Serial No.

Received from .....

Name in full .....

Address in full ....

An application for a temporary residents permit.

Signature of the Officer
receiving the application and date.

The applicant is requested to present this receipt personally on .....
.....

FORM L. 5

(*See* Rule 61 (c))

Temporary resident's permit No..... .....of .....19... 19

Temporary resident's permit to possess and use liquor for personal consumption.

Mr/Mrs/Miss..... .....
residing at.....
(hereinafter called the "permit holder") having paid a fee of Rs.....only, is hereby granted a permit subject to the provisions of the Mysore Prohibition Act 1961 and the rules and regulations and orders made thereunder authorising him/her to buy, possess, transport consume and use liquor within the State of Mysore during the period from.....
to.....
(both days inclusive) subject to the following conditions, namely :—

(1) The permit holder shall not use more than .... units of liquor during any month.

(2) The quantity that may be possessed under the permit at any one time shall not exceed..... units of liquor.

(3) The permit holder shall not obtain liquor required by him from any place other than a Government depot or license holder, except with the previous permission of the Prohibition Commissioner.

(4) No holder of a permit except the holder of an emergency permit shall drink in a public place or in any vehicle parked in a public place or in any room in a hotel or in any institution to which the public have access.

(5) The permit holder shall not allow the use or the consumption of any part of the quantity of liquor held by him/her under the permit to any other person who is not the holder of a permit to any other person who is not the holder of a permit under Sections 31, 34, 37 and 38 of the Act.

(6) This permit shall accompany the stock of liquor held thereunder to any place where it is removed from the permi holder's residence.

(7) The permit holder shall abide by the conditions of this permit and the provisions of the Mysore Prohibition Act 1961 and the rules, regulations and orders made thereunder.

(8) The permit holder should not be drunk and or incapable of taking care of himself or found behaving in a disorderly manner under the influence of drunk in any street or throughfare or public place or in any place to which the public have or permitted to have access.

(9) The permit may be cancelled or suspended in accordance with the provisions of Sections 45 and 47 of the Mysore Prohibition Act 1961.

Seal of the Deputy Commissioner.

Date.....
Place .....

Deputy Commissioner,
..... District.

Speciman signature of the permit holder.....

(Reverse of the Temporary Resident's Permit)
Details of purchase of Liquor.

No. of units allowed per month.....

Date of Purchase	Quantity purchased		Fermented liquors	Total quantity in units, that is total of columns 2, 3, and 4	Signature and address of the licensed seller	Remarks
	Spirits	Wines				
1	2	3	4	5	6	7

FORM L. A. (2).

(*See* Rule 62 (A)

Application for a health permits to possess and use quor in the State of Mysore for personal consumption.

To

The Deputy Commissioner,

..... District.

(1) Name in full, Sri/Smt./Kumari (Surname first in Block letters).

(2) Residental address in full

(3) Nationality

(4) Religion

(5) Age as on last birth day

(6) Occupation

(7) Monthly income

(8) Quantity of liquor required to be taken everyday. .....

.....

(9) Quantity of liquor in bottles (litre) required in a month. .....

.....

(10) No. of years for which the applicant has been consuming liquor. .....

.....

(a) I hereby declare that I require liquor for the preservation or/ and maintenance of my health. In support of my request, I submit the following documents :—*

....

....

( ) I do not hold any permit under Sections 31, 34, 37 or 38 of the Act nor have I made any other application for a permit under any of the above Sections except under Section 38. I have/have not been convicted on .... t any time of an/any offence punishable under section..... ...../any provisions of Mysore Prohibition Act 1961.

There is a/is no prosecution under Sections..... ....any provisions of the said Act pending against me in the..... .... any court in Mysore State.

(c) The particulars given above are true and correct.

I hereby undertake to abide by the conditions of the permit and the provisions of the Mysore Prohibition Act 1961, and the rules and regulations and orders made thereunder.

Signature of the applicant.

Date

Place

(Reverse of the application form L. A. (2)

(for office use only)

Received the application

Date.....

Called on.....

Action taken :—

Date of registration

Permit prepared on

Checked by

Permit ready for delivery on

Received the permit No.....

on.....

Signature of the applicant

Signature of the permit issuing authority

Seen :

Filed :

---

* Here enclose certificates issued by personal Medical attendants, previous liquor permits, if any, obtained in the previous years etc.

FORM OF RECEIPT

Sl. No.....received from.....
an application for liquor health permit.

Date :

Signature of the Officer receiving
the application

The application is requested to present this receipt on.....

FORM 6

(*See* Rule 63 (d))

Health permit No. of.....19.....

Health permit to possess and use liquor for personal consumption.

Sri/Smt/Kumari.....
Residing at.....
(hereinafter called "the permit holder") having paid a fee o Rs.....is, (on the recommendation of the District/Divisional/State Medical Board) hereby granted a permit under and subject to the provisions of the Mysore Prohibition Act 1961, and rules, regulations and orders made there under authorising him/her to buy, possess, transport, consume and use liquor within the State of Mysore during the period from .....to 31st March 19.....(both days inclusive) subject to the following conditions:—

(1) The permit holder shall not during any month use or consume liquor exceeding ....., of units.

(2) The permit holder shall not possess at any one time during any month liquor exceeding the number of units permitted to be consumed in a month under condition (1) above.

(3) The permit holder shall obtain liquor required by him/her from a Government depot, or from the holder of a license. He/she shall not buy in any month liquor exceeding the number of units shown in condition (1).

(4) No holder of a permit except that of an emergency permit shall drink in a public place, in any vehicle parked in a public place or in any room in a hotel or in any institution to which the public have access.

(5) This permit shall accompany the stock of liquor held thereunder to any place where it is removed from the permit holder's residence.

(6) The permit holder shall comply with all orders and instructions issued to him/her by Prohibition officers.

(7) The permit holder shall abide by the conditions of this permit and the provisions of Mysore Prohibition Act 1961, and the rules, regulations and orders made thereunder.

(8) the permit holder shall not be drunk and or incapable of taking care of hi·ns· lf or f·und behaving in a disorderly manner under the influence of drunk in any street or throughfare or public place or in any place to which the public have or permitted to have acceess.

(9) The permit may be cancelled or suspended in accordance with the p:ovisions of Sections 45 and 47 of this Act.

Seal of the Deputy Commissioner.

Place.....

Date .....

Deputy Commissioner,
of .....District.

Speciman signature of
the permit holder.

(REVERSE OF FORM L. 6)

Details of purchase of liquor made by the permit holder.

1	2	3	4	5	6
Date	Quantity purchased in units (with full details).	Total purchased in the month including this purchase.	Balance of Units remaining in the current month.	Signature of the licensed seller.	Remarks

FORM L. A.( )

[*See* Rule 66 (a)]

Application for a permit to possess liquor for medicina use on emergent occasions.

To

The Deputy Commissioner,

.....District.

1. Name in full Sri/Smt/Kumari (Surname first in Block letters),
2. Residential address in full .....
3. Nationality .....
4. Religion .....
5. Age .....
6. Occupation .....
7. Monthly income .....
8. Kind of liquor required .....

(9) Whether the applicant is the head of household .....

I declare that (a) I usually keep .....for medicinal use (b) I have at present got stock of ..... as under :—

(*c*) Neither I nor any member of my household holds any emergency permit for the period applied for now nor have I orany member of my household has submitted an application for any such permit.

I have/had not been convicted on.....at any time of an/any offence punishable under Sections/any provisions of the Mysore Prohibition Act 1961.

There is a/is no prosecution under Sections/any provisions of said Act pending against me in the/any court in Mysore State.

(*d*) The particulars given above are correct.

I hereby undertake to abide by the conditions, of the permit and the provisions of the Mysore prohibition Act 1961 , and the rules, regulations, and orders, made thereunder.

Signature of the applicant.

Date

Place.

REVERSE OF FORM L. A. (3)

(for office use only)

Received the application
Date
Called on

Action taken :—
Date of registration
Permit prepared on
By
Checked by
Permit ready for delivery
on
Received permit No.....
.....
on.....

Signature of the applicant.

Signature of permit issuing authority.

Seen.

Filed.

FORM L. 7

[*See* Rule 66 (*b*)]

Emergency permit No ....19.....

Emergency permit to possess liquor for medicinal use on emergent occasions.

Sri/Smt./Kumari... ....

Residing at..... ... .

(hereinafter called "the permit holder") having paid a fee of Rs. .....

only is hereby granted a permit under and subject to the provisions of Mysore Prohibition Act, 1961 and the rules, regulations and orders made thereunder authorising him her to buy, transport, possess, use or consume..... .....

(hereinafter called "the liquor") for medicinal use during the period from ..... to ..... at his/her premises situated at.....

and also at any other place within the State of Mysore, subject to the following conditions, namely:—

(1) (*a*) The permit holder shall not use or consume the liquor except for medicinal use on emergent occasions.

(*b*) The permit holder may use the liquor possessed under the permit for himself/herself and the members of his/her household;

Provided that the permit holder may allow the use or consumption of liquor held by him/her under this permit to any other person who requires the use thereof for medicinal purpose on emergent occasions:

Provided further that when the permit holder so allows the use or consumption of the liquor held by him/her under this permit to any other person he/she shall intimate the said fact in writing to the Officer-in-charge of the nearest Police Station within 24 hours of such use or consumption.

(2) (*a*) The quantity of liquor that may be possessed at any one time under this permit shall not exceed ....

.....

of the liquor.

(*b*) The permit holder may transport, possess, consume or use the liquor under this permit throughout the State of Mysore : Provided that the permit accompanies the stock of liquor held thereunder to any place to where it is removed from the permit holder's residence.

(3) The permit holder shall obtain the required liquor by him her from a Government depot or from a holder of a retailer's licence on presentation of this permit.

(4) The permit holder shall abide by the conditions of this permit and the provisions of the Mysore Prohibition Act, 1961 and rules, regulations and orders made thereunder.

(5) The permit may be cancelled or suspended in accordance with the provisions of Sections 45 and 46 of the Mysore Prohibition Act, 1961.

Deputy Commissioner
.....District.

Place :

Date :

Seal of the Deputy Commissioner.

Specimen signature of the permit holder.

(Reverse of FORM L. 7)

Details of purchase of Liquor.

Kind of liquor allowed.	Quantity allowed to be purchased within a period of 6 months.

Date	Quantity purchased	Address and signature of the seller.	Remarks.
1	2	3	4

FORM L. A. (4)

[(*See* Rule 67 (A)]

Application for a special permit for privileged personages to possess and use liquor for personal consumption.

To

(1) Name and address in full (surname first in Block letters). .....

(2) Whether the applicant is * :—

(*a*) A Sovereign or Head of a Foreign State :

(*b*) An Ambassador or a Diplomatic Envoy of a Foreign State ; or

(*c*) A Consul, Honorary Consul or Trade, Commerce or other representative of a Foreign State ; or

(*d*) A member of the staff appointed by or serving under any person specified in clause ( ), *b*) or (*c*) and whether such member is national of a Foreign State or an Indian National ; (please state the official designation of the applicant and the name of the Foreign State in each case, that is (*a*), (*b*), (*c*) or (*d*): or

(*e*) The Consort of any person specified in clause (*a*) to (*d*) above ; (please state the name and official designation of such person) ; or

(*f*) Any relation of any person specified in clauses (*a*) to (*d*) dependent upon him ; and if so, the relationship and with whom (please state the name and official designation of such person)

(3) Nationality .....

(4) Religion .....

(5) Age as on last birth day .....

(6) Permanent address .....

(7) Maximum number of Units of liquor desired to be possessed at a time.

(8) Period for which the permit is required. .....

---

*Please strike off the unrequired items or words

I hereby declare to abide by the conditions of the permit and the provisions of Mysore Prohibition Act, 1961 and the rules, regulations and orders made thereunder.

Signature of the applicant or that of his representative and his designation.

Date:

Place:

Reverse of the application form L. A. (4)

Received the application on .....

Permit to be ready on .....

Permit prepared by .....

.....on.....

Permit checked by .....on.....

Received permit No. .....on.....

Signature of the applicant.

Seen

Filed

Signature of the permit issuing authority.

FORM OF RECEIPT

Serial No.

Received From .....

of.....

an application for Special Permit for privileged personages.

The permit if sanctioned is expected to be ready on .... when it may be obtained from this office on presentation of this receipt.

Date.....

Place..... .....

Signature and designation.

FORM L. 8

[*See* Rule 67 (B)]

Special permit for privileged personages to possess and use liquor for personal consumption.

Mr./Mrs./Miss.....
permanently residing at.....
(hereinafter called "the permit holder") who is a.....
.....of.....State, having
his office/official residence.....
at.....
(hereinafter called "the said residence") is hereby granted a permit under and subject to the Mysore Prohibition Act, 1961, and the rules, regulations and orders made thereunder, and authorising him/her to buy, possess, transport, use and consume liquor within the State of Mysore, during the period from.....
to..... subject to the following conditions, namely :—

(1)* The permit holder shall not use or consume liquor exceeding..... units during any month :

Provided that where the permit holder has not used or consumed the full quantity of liquor which is permitted to be used or consumed during any month, he may use or consume such unused or unconsumed quantity of liquor in any succeeding period during the currency of the permit ; but the total quantity of liquor used or consumed in any month should not exceed two months quota of the permit holder.

(2)* The permit holder shall not possess at any time, liquor in a quantity exceeding..... units.

Provided *The permit holder may obtain and possess at any time, liquor not exceeding the limit specified in condition (1) above.

(3) (*a*) No holder of a permit except that of an emergency permit shall drink in a public place or in any vehicle parked in a public place or in any room in a hotel or in any institution to which the public have access.

(*b*) The permit holder should not be drunk and or incapable of taking care of himself or found behaving in a disorderly manner under the influence of drunk in any street or thoroughfare or public place or in any place to which the public have or permitted to have access.

(4) The permit holder shall not allow the use or consumption of any part of the liquor held by him under the permit to any other person, who is not the holder of a permit under Sections 31, 34, 37 and 38 of the Act.

(5) The quantity of liquor obtained by the permit holder from time to time shall duly be entered in the permit by him or by the liquor licensee concerned.

(6) This permit shall accompany the stock of liquor held thereunder to any place where it is removed from the permit holder's official residence.

(7) The permit may be cancelled or suspensed in accordance with the provisions of Section 45 of the Mysore Prohibition Act, 1961.

(8) If this permit is not renewed on its expiry or is suspended or cancelled during its currency, the permit holder shall surrender forthwith the whole of the unused liquor to the Prohibition Commissioner, who shall dispose of the same in such manner as he deem fit.

Granted this.....day.....19.....
at..... ....

Seal of the licence issuing
authority.

Signature of the licence
issuing authority.

*These conditions may be struck off where they are not applicable.

REVERSE OF THE PERMIT IN FORM L. 8

Details of the receipt of liquor by the permit holder.

Quantity permitted for use or consumption during a month is as ollo ws : —

f

1. Spirits.....units.
2. Wines..... .....units.
3. Fermented liquors containing alcohol exceeding 2% by valume.....units.
4. Fermented liquors containing alcohol below 2% by volume.....units.

Quan·ities possessed n the d·te o' the per·i it (in uLit·)	Quantity obt iu·d by the p··mit ho·· er's s ock in cus·oms bo·d (in un·ts)	Quan i·y ob a·ned from the stock of a trad· and import or any oth r lio·nsee (i·u its)	Tra·sport permi No. and date, if a·y	Signature of the permit holder or the licensee
1	2	3	4	5	6

FORM L.A. (6)

(*See* Rule 69 (d))

Application for an interim permit to possess liquer for personal co sumption.

The Deputy Commissioner,

.....District.

1	Name in full (surname first in Block letters)	....
2	Permanent address	.....
3	Temporary address in the State of Mysore if the applicant is not a permanent resident in the state of Mysore	
4	Period of stay in the state of Mysore if temporary	
5	Nationality	....
6	Place of birth	....
7	Country of domicile	.....
8	No. of passport and the authority which issued it if the applicant is not a permanent resident in the State of Mysore	.....
9	Date of arrival in India if the applicant is a temporary resident or is a person falling under Section 31 of the Act	
10	Period of residence or intended residence in India if the applicant is a temporary resident or a person falling under Section 31 of the Act	
11	Purpose of his visit to India if the applicant is a temporary resident or a person falling under Section 31 of the Act	.....
12	Age as on last birth day	.....
13	Occupation	.....
14	Religion	.....

15 No. of units of liquor required per month .....

16 The kind of permit the applicant has applied for or is applying for, that is to say whether a health permit, a temporary residents permit, or a special permit for privileged personages

17 Period for which the interim permit is required

I hereby declare that:—

I (a) I require liquor for the preservation or/and maintainance of my health;

(b) I am a temorary resident;

(c) I am eligible for a permit under Section 34 of the Mysore Prohibition Act;

II I am ordinarily usiug and consuming liquor;

III Liquor is gererally being used or consumed in the country where I was born or demiciled;

IV I do not hold any permit under Sections 31, 32. 34,37 and 38 nor have I made any other application for an interim permit;

V The particulars given abcve are correct;

I hereby undertake to abide by the conditions of the permit and provisions of Mysore Prohibition Act 1961, and the rules, regulations and orders made thereunder.

Signature of the applicant.

Date:

Place.

---

* Strike off clauses not applicable.

Reverse of Form L.A. (6)

for office use only.

Date of application

Registration No.

Permit prepared by.....and issued on.....

Received the permit No.....on.....

Signature of the applicant.

FORM L. 10.

(See Rule 69 (c)).

Interim permit No.....

Interim permit to possess and use liquor for personal consumption.

Sri/Smt/Kumari.....
of,.....
(hereinafter called "the permit holder") having paid a fee of Rs.....
is hereby granted a permit under and subject to the provisions of Mysore Prohibition Act 1961, and the rules, regulations and orders made thereunder authorising him/her to buy, p ssess, use, transport and consume liquor within the State of Mysore, during the period from .....to..... (both days inclusive) subject to the following conditions, namely :—

(1) The permit holder shall not use more than..... units of liquor during any one month.

(2) The quantity that may be possessed under a permit shall not exceed ..... .units of liquor at any one time.

(3) The permit holder shall not obtain any liquor required by him from any place other than Government depot, or license or licensed hotel or club or a shop holding a retailer's license except with the previous permission of the Prohibition Commissioner. He shall not buy more than..... ..... units of liquor in any one month.

(4) No holder of a permit except that of an emergency permit shall drink in a public place or in any vehicle parked, in a public place or in any room in a hotel or in any institution to which the public have access.

(5) This permit shall accompany the stock of liquor held thereunder to any place where it is removed.

(6) The permit holder should not be drunk and or incapable of taking care of himself of found behaving in a disorderly manner under the influence of drink in any street or throughfare or Public place or in any place to which the public have or permitted to have access.

(7) The permit may be suspended or cancelled in accordance with the provisions of Sections 45 and 46 of the Act.

Signature and designation of the
Officer issuing permit.

Place

Date

Seal of the Officer issuing permit.

Specimen signature of the permit holder.

REVERSE OF THE FORM L. 10.

(Details of purchases of liquor made by the permit holder)
Units of liquor allowed per month.

No. and date	quantity purchased in units with details.	Progressive total for the month in units.	Address and the signature of the seller	Remarks.
1.	2.	3.	4.	5.

FORM L. A. (8)

[See Rule 59 (a)]

Application for a tourist's permit to possess and use liquor for personal consumption.

To

The Deputy Commissioner,

.....Districts.

(1) Name in full (surname first in Block letters)

(2) Permanent address

(3) Temporary address in the State of Mysore

(4) Period of Temporary stay-
(a) in the State of Mysore.
(b) in India.

(5) (a) Country of domicile
(b) Place of Birth

(6) No. and date of passport or Tourist Introduction Card, or Tourist Visa and the authority which issued it.

(7) Age as on last birth day

(8) Number of units of liquor required per week.

I hereby declare that:—

(a) I am a Tourist and I have not been residing in India nor do I intend to reside in India, permanently. I have a settled purpose of making my sole and permanent home outside India.

(b) I am ordinarily using and consuming liquor.

(c) Liquor is generally being used or consumed in the country where I was born and where I am domiciled.

(d) I do not hold any permit under the Mysore Prohibition Act 1961 for the possession, use and consumption of liquor in the State of Mysore nor have I made any other application for such permit.

(e) The particulars given above are correct.

I hereby undertake to abide by the conditions of the permit and the provisions of Mysore Prohibition Act, 1961, and the rules, regulations, and orders made thereunder.

I request that I may be granted the Tourist's permit, for..... .....days beginning from.....day.

Signature of the applicant.

Date .....

Place.....

.....

Reverse of Form L. A. (8)

(for office use only)

Date of application.....

Registration No.....

Permit prepared by.....and issued on.....

Received the permit No.....on.....

Signature of the applicant.

.....

FORM L. 10 (a)

[*See Rule* 68 (b)]

Tourist permit No..... ...

Tourist permit to possess and use liquor for personal consumption.

Mr/Mrs/Miss .....
(hereinafter called "the permit holder") residing permanently at
.....
and temporarily at.....
is hereby granted a permit under and subject to the provisions of Mysore Prohibition Act, 1961, and the rules, regulations and orders made thereunder, authorising him/her to buy, possess, transport, use and consume liquor within the State of Mysore during the period from .....to.....
(both days inclusive) subject to the following conditions, namely :—

(1) The permit holder shall not use liquor except for personal consumption.

(2) The quantity of liquor possessed at any one time shall not exceed four units.

(3) Except as permitted by the Prohibition Commissioner the permit holder shall not obtain liquor from any other place other than a Government depot or from the holder of a license issued under the Act.

(4) No holder of a permit except that of any emergency permit shall drink in a public place or in any vehicle parked in a public place, or in any room in a hotel or in any institution to which the public have access.

(5) This permit shall accompany the stock of liquor to any place to where it is removed from the permit holder's residence.

(6) The permit holder should not be drunk and or incapable of taking care of himself or found behaving in a disorderly manner under the influence of drink in any street or thoroughfare or public place or in any place to which the public have or permitted to have access.

(7) The permit holder shall abide by the conditions of this permit and the provisions of the Mysore Prohibition Act, 1961, and the rules, regulations and orders made thereunder.

(8) The permit may be cancelled or suspended in accordance with the provisions of Sections 45 and 46 of the Act.

Signature of the issuing authority and designation.

Place :

Date :

Seal of the Officer issuing the permit.

Specimen Signature of the permit holder.

REVERSE OF FORM L. 10 (a)

Details of purchase of liquor

No. and date	Quantity allowed under permit (in units)	Quantity obtained (in units)	Progressive total (in units)	Signature of the seller	Remarks
1	2	3	4	5	6

FORM L. A. (7)

(*See* Rule 70).

Application for a license to possess and use brandy and rum by Industrial, Educations, Scientific, Research or such other institution or by a pilot of an aircraft or by a person in charge of an Ambulance or a First Aid Station for rendering First-Aid or for medicinal purpose in an emergency.

To

The Deputy Commissioner,
District.

(1) Name, Designation and address of the applicant in full (Surname first in Block letter).

(2) Name and address of the institution.

or

No. of the ambulance and the name and address of the institution to which it belongs.

or

Name and address of the First Aid Station.

or

Name and No. of the Aircraft. .....

(3) Age as on last birth day. .....

(4) Occupation. .....

(5) Quantity of brandy and rum, required during a month. .....

I hereby declare that the particulars given above are correct.

I hereby undertake to abide by the provisions of the Mysore Prohibition Act, 1961, and the rules, regulations and orders made thereunder and the conditions of the license.

Signature of the applicant.

Date :

Place :

FORM L. 11.

(*See* Rule 71).

License No.....

License for the possession and use of brandy and rum by Industrial, Educational, Scientific, Research or such other Institution or by a Pilot of an Aircraft or by a person in charge of an Ambulance or a First-Aid Station, for rendering First-Aid or for medicinal propose in an emergency.

License is hereby granted under and subject to the provisions of the Mysore Prohibition Act, 1961, and the rules, regulations and orders made thereunder to Sri/Smt./Kumari ..... of ..... (hereinafter called "the licensee") on payment of a license fee of Rs.

authorising him/her to purchase, transport, possess and use Brandy and Rum for rendering first aid or for medicinal purpose in an emergency during the period from..... ..... to.....at ..... (hereinafter called "the licensed premises" or at any other place within the State of Mysore where the ambulance/aircraft, in charge of the licensee may proceed, subject to the following conditions, namely :—

(1) (a) The licensee shall not keep in his her possession any quantity exceeding .....each of brandy and rum, at any one time.

(b) The licensee shall not purchase more than ....litres each of brandy and rum, during any calendar month.

(2) The licensee shall maintain a Register of use of brandy and rum as required by rule 76 of the Mysore Prohibition (liquor) Rules, 1962.

(3) The licensee may transport, possess and use brandy or rum, obtained under this license, throughout the State of Mysore; Provided that the quantity to be transported, possessed or used does not exceed the limit specified in condition 1 (a) and the license is produced for inspection on demand by an Officer empowered under the Mysore Prohibition Act, 1961.

(4) This license shall accompany the stock of brandy and rum to any place where it is removed.

(5) The licensee shall have no claim whatsoever to the continuance or renewal of this license after the expiry of the period for which it is granted.

(6) This license may be suspended or cancelled in accordance with the provisions of Sections 45 and 46 of the Act,

(7) In case this license is suspended or cancelled during the currency of the license period or is not renewed on its expiry, the licensee shall forthwith surrender to the Deputy Commissioner the whole stock of unused brandy and rum remaining in balance with him on the date of such suspension, cancellation or expiration. The stock of liquor so surrendered, shall be disposed off in accordance with the provisions of rule 77 of Mysore Prohibition (Liquor) Rules, 1962.

Provided further that if there is no demand for such liquor or if it is found to be unfit for human consumption or adulterated the Deputy Commissioner may order its destruction.

Deputy Commissioner.
District,

Place :
Date :

Seal of the Office of the Deputy Commissioner,

FORM L. 12.

[See Rule 82(a)]

License No. .... of 19.....19.....

License for dispensing of brandy and rum, as one of the ingredients of any medicine on prescription.

License is hereby granted under and subject to the provisions of the Mysore Prohibition Act, 1961, and the rules, regulations and orders made thereunder to.....of..... ..... (hereinafter called "the licensee") on payment of a license fee of Rs..... authorising him to dispense brandy or rum as one of the ingredients of medicine at his shop/ dispensary situated at..... (hereinafter called "the licensed premises") during the period from ..... to .....on the following conditions namly :

CONDITIONS.

(1) (a) The licensee shall not keep in his possession any quantity exceeding.....of brandy and rum each at any one time.

(b) The licensee shall not purchase more than..... litres of brandy and rum each during any calendar month.

(2) The licensee shall not keep or dispense brandy or rum at any place other than the licensed premises. If the licensee is a Registered Medical Practitioner, he shall not prescribe or dispose brandy or rum except as one of the ingredients of medicine.

(3) The licensee shall not keep in the licensed premises any intoxicants which he is not authorised to dispense under this license or any other license granted under any law for the time being in force.

(4) The licensee shall keep affixed to the licensed premises a sign board showing the name of the licensed premises.

(5) The liceensee shall display the license at a conspicuous place in the licensed premises.

(6) The licensee, his heirs, legal representatives or assigns shall have no claim whatsoever to the continuance or renewal of this license after the expiry of the period for which it is granted.- It shall be entirely within the discretion of the Deputy Commissioner to permit or not the assignees of the licensee in case of sale of transfer, or the heir or legal representatives of the licensee in case of death to have the benefit of the licensee for the unexpired portion of the term for which it is granted.

(7) This license may be suspended or cancelled in accordance with the provisions of Sections 45 and 46 of the Mysore Prohibition Act, 1961.

(8) In case this license is suspended or cancelled during the currency of the license period or is not renewed on its expiry, the licensee shall forthwith surrender to the Deputy Commissioner the whole stock of unsold brandy and rum remaining in balance with him on the date of such suspension, cancellation or expiration. The stock of liquor so surrendered shall be sold by the Deputy Commissioner in accordance with rule 89 of the Mysore Prohibition (Liquor) Rules, 1962:

Provided further that if there is no demand for such liquor or if it is found to be unfit for human consumption or adulterated the Deputy Commissioner may order its destruction.

Deputy Commissioner
of District.

Place

Date

Seal of the Deputy Commissioner.

FORM A

[*See* Rule 86 (f)]

Cash Memo:—

No.....

1. Name and address of the licensee .....
2. No. of license in form L. 12.....
3. Name and address of the person to whom prescribed.....
4. Name and address of the Registered Medical Practitioner by whom prescribed.....
5. Name and address of the person to whom delivered..... ....
6. Prescription No. and date.....
7. The kind and quantity of liquor prescribed.....
8. Amount received.....

Signature of the licensee or
his authorised agent or servant.

FORM L. 13.

[See Rule 92 (b)]

Licence for the sale of champagne and port-wine on prescription.

Licence is hereby granted under and subject to the provisions of the Mysore Prohibition Act, 1961 and the rules, regulations and orders made thereunder to ..... of ..... (hereinafter called "the licensee") on payment of a licence fee of Rs..... authorising him to sell champagne and port-wine on prescription at his premises situated at..... (hereinafter called "the licensed premises") during the period from ..... to ..... on the following conditions, namely:—

CONDITIONS.

(1) The licensee shall not sell champagne or port-wine at any place other than the licensed premises.

(2) The licensee, his heirs, legal representatives or assigns shall have no claim whatsoever to the continuance or renewal of this licence after the expiry the period for which it is granted. It shall be entirely within the discretion of the Deputy Commissioner to permit or not the assignee of the licensee in case of sale or transfer, or the legal representatives of the licensee in case of death to have the benefit of the licence for the unexpired portion of the term for which it is granted.

(3) This licence may be suspended or cancelled in accordance with the provisions of Sections 45 and 46 of the Act.

(4) In case this licence is suspended or cancelled during the currency of the licensed period or is not renewed on its expiry the licensee shall forthwith surrender to the Deputy Commissioner the whole stock of unsold champagne and port-wine remaining in balance with him on the date of such suspension, cancellation or expiration The stock of liquor so surrendered shall be sold by the Deputy Commissioner and the proceeds of the sale shall after deducting expenses and any sum due to the Government be returned to the

REGISTER OF SALE

(See Rule 87(a))

Register maintained by a licensee not being a registered medical practitioner showing full names and addresses of registered medical practitioners whose prescriptions prescribing brandy or rum are dispensed by the licensee and of persons in whose names such prescriptions were issued.

License No..... Name of licensee .....

No.	Date	Presoription	Name of registered medical practitioners whose prescrip tions preroribing brandy or rum are di pensed by the licensee.		Name of persons in whose names pres-criptions referred to in column 3 were issued.		Quanti'y dispensed on prescription		Cash Memo No.
			Full Name	Addreas	Regi-tration No.	Full Name	Addreas	Brandy	Rum	
1	2		3				4	5	6	

REGISTER OF SALE

[*See* Rule 87 (b)]

Register maintained by a licensee being a Registered Medical Practitioner showing full names and addresses of persons in whose names prescriptions prescribing brandy or rum are issued.

License No..... .....Name of the licensee.....

No.	Date	Prescription						
		Full Name	Address	Brandy	Rum	Full name	Address	Registration No.
1	2	3		4		5		6

Names of persons in whose names prescriptions one brandy or rum are issued.

Quantity on dispensed prescription

Names of registered medical practitioners on whose prescriptions brandy or rum is dispensed.

REGISTER OF DAY-TO-DAY ACCOUNT.

[*See* Rule 97 (*c*)]

Register of day-to-day accounts showing the quantity of Brandy or Rum dispensed and the balance held in stock by the licensee.

Licence No..... Name of the Licensee.....

Date	Opening balance	Quantity received		Total	Quantity dispensed on reception	Closing balance	Initials of the licensee	Remarks
	Brandy Rum	Consignment from which received	Brandy Rum	Brandy Rum	Brandy Rum	Brandy Rum		
1	2	3		4	5	6	7	

FORM

[*See* Rule 92 (*e*)]

Register showing full names and addresses of registered medical practitioners on whose prescription champagne and port-wine were sold by the licensee and of the persons to whom they were so sold.

Licence No..... Name of the Licensee.....

Date	Prescription No.	Names of registered medical practitioners on whose prescription champagne or port-wine is sold by licensee			Names of persons to whom champagne or port-wine is sold on prescription		Quantity prescribed and sold		Total Quantity sold on prescriptions during the day		Whether the total quantity has been entered in the stock register of the licensee and if so at what page	Initials of the licensee	Remarks
		Full name	Address	Registration No.	Full name	Address	Champagne	Port-wine	Champagne	Port wine			
1	2	3			4		5	6	7		8	9	10

FORM

[*See* Rule 92 (*c*)]

Register of day-to-day accounts showing the quantity of champagne and part-wines old on prescription and the balance held in stock.

Licence No. ..... Name of the licensee.....

Date	Opening balance		Quantity received during the day		No. of transport permits under which quantities shown in column 3 is received	Total total of columns 2 and 3		Quantity sold on prescription		Closing balance (column 4 minus column 6		Initials of the licensee	Remarks
	Champagne	Port-wine	Champagne	Port-wine		Champagne	Port-wine	Champagne	Port-wine	Champagne	Port wine		
1	2		3		4	5		6		7		8	9

[No. HD 59 EFL 62.]

By Order and in the name of the Governer of Mysore,
M. S. SHANKARA RAO, *Secretary.*